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LAND AND WATER CONSERVATION FUND

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HEARINGS BEFORE THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

EIGHTY-EIGHTH CONGRESS
FIRST SESSION

ON

S. 859

A BILL TO ESTABLISH A LAND AND WATER CONSERVATION FUND TO ASSIST THE STATES AND FEDERAL AGENCIES IN MEETING PRESENT AND FUTURE OUTDOOR RECREATION DEMANDS AND NEEDS OF THE AMERICAN PEOPLE, AND FOR OTHER PURPOSES

MARCH 7 AND 8, 1963

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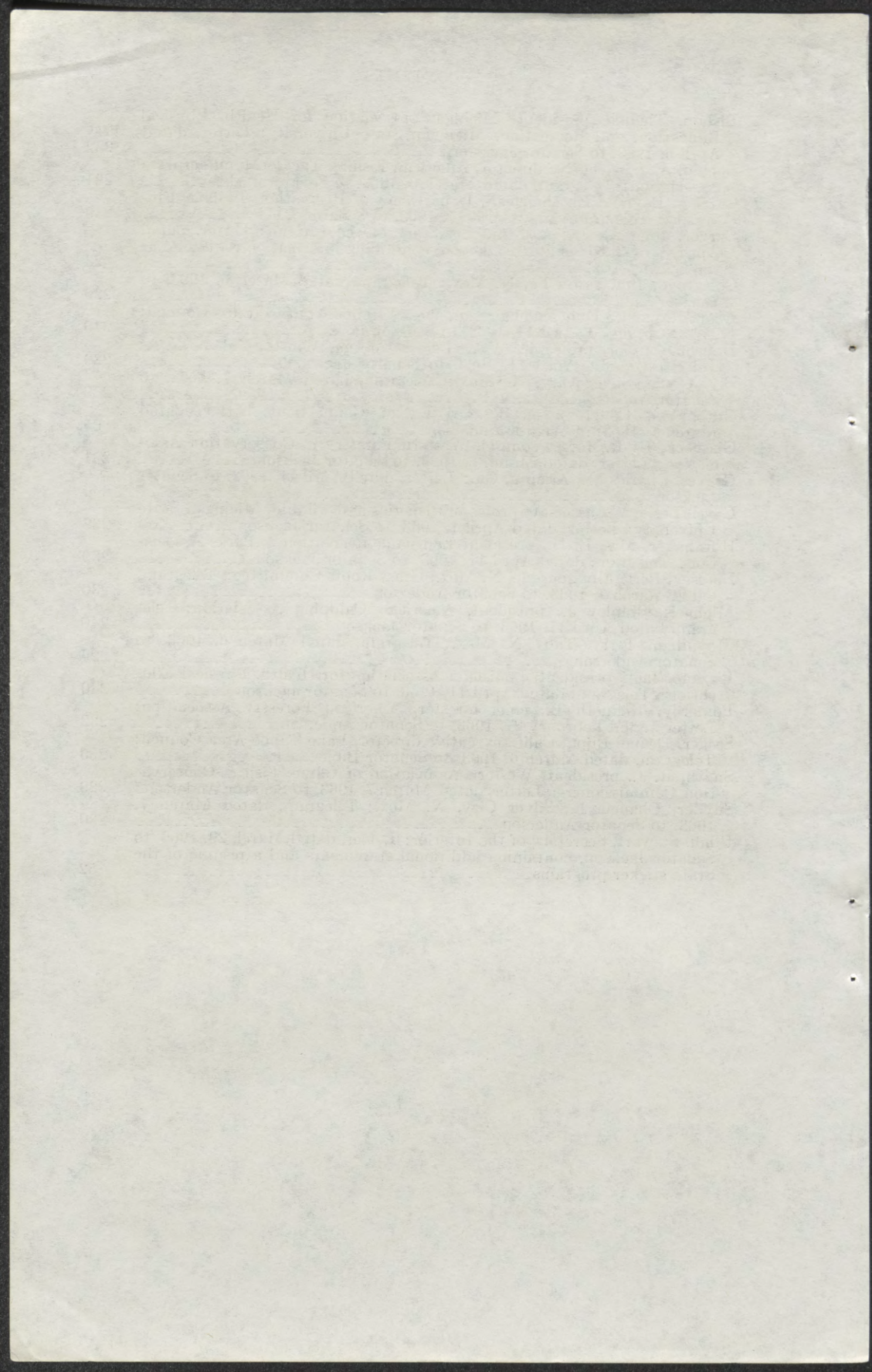
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LAND AND WATER CONSERVATION FUND

THURSDAY, MARCH 7, 1963

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 3110, New Senate Office Building, Senator Henry M. Jackson (chairman) presiding.

Present: Senators Jackson, Anderson, Church, Gruening, Moss, Metcalf, Nelson, Jordan, Simpson, Mechem, and Dominick.

Also present: Benton J. Stong, professional staff member.

Chairman JACKSON. The committee will come to order.

This hearing is on S. 859, the land and water conservation fund bill which was transmitted to Congress by the President on February 15. It was introduced by the chairman and 14 cosponsors on February 19 and has since been joined by others.

The bill is one of two measures recommended by the administration pursuant to the Outdoor Recreation Resources Review Commission report.

Our committee has already reported S. 20, which gives the Secretary of the Interior several inventory, planning, research, and technical assistance functions to perform in the recreation field through the Bureau of Outdoor Recreation. It is our hope that by the time this hearing closes the bill will have passed the Senate. It is on the calendar today and will come up while this hearing recesses for lunch, we hope.

This bill, S. 859, is intended to implement additional recommendations of the Commission, which was headed by Mr. Laurance Rockefeller, by establishing a fund which will finance Federal acquisition of nationally significant parks, shores, monuments, and recreation areas, and provide assistance to the States for outdoor recreation planning, acquisition, and development.

I might add that it is my recollection that the recommendation of a program of aid to the States was unanimous on the part of the Commission.

It is proposed to put into the fund proceeds from the sale of surplus Federal real property; proceeds from user fees, or entrance fees at Federal recreation areas; and the proceeds from 4-cent Federal motor fuel tax now being paid by motorboat owners and either partly rebated or placed in the highway fund.

Out of this fund it is proposed to take a sum to offset the cost of recreation land acquisition at Federal water projects. The remainder is to be divided 60 percent to the States, and 40 percent to the National Park, Forest, and Fish and Wildlife Services for land acquisition.

The Federal share can be expended only for acquisitions authorized by Congress and only as the funds are appropriated by Congress. It is not a fund that can be spent by the executive agencies without congressional sanction.

A copy of the bill and of the President's letter and attachments transmitting it to Congress will go in the record at this point.

(The documents referred to follow:)

[S. 859, 88th Cong., 1st sess.]

A BILL To establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes

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

(a) CITATION.—This Act may be cited as the "Land and Water Conservation Fund Act of 1963".

(b) PURPOSES.—The purposes of this Act are to strengthen the health and vitality of the Nation by assuring the availability and accessibility of land and water based outdoor recreation opportunities of such quality and quantity as are necessary and desirable for the benefit and enjoyment of the people by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for Federal acquisition of certain land and water areas.

CERTAIN REVENUES PLACED IN SEPARATE ACCOUNT

SEC. 2. SEPARATE ACCOUNT.—There shall be set aside in a separate account in the Treasury of the United States, for subsequent division as prescribed in section 3 of this Act, the following revenues and collections:

(a) ENTRANCE AND USER FEES; ESTABLISHMENT; REGULATIONS.—All proceeds from entrance, admission, and other recreation user fees or charges collected or received by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, and the United States section of the International Boundary and Water Commission (United States and Mexico), notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury: *Provided*, That nothing in this Act shall affect any rights or authority of the States with respect to fish and wildlife, nor shall this Act repeal any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law: but the proceeds from fees or charges established by the President to this subsection for entrance or admission generally to Federal areas shall be used solely for the purposes of this Act.

The President is authorized to provide for the establishment, revision, or amendment of entrance, admission, and other recreation user fees and charges at any land or water area administered by or under the authority of the Federal agencies listed in the preceding paragraph: *Provided*, That this subsection shall not authorize Federal hunting or fishing licenses, nor shall it authorize fees or charges for commercial or other activities not related to recreation. Any fees established shall be fair and equitable taking into consideration direct and indirect cost to the Government, benefits to the recipient, public policy or interest served, and other pertinent factors.

There is hereby repealed the third paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 7, 1928 (45 Stat. 238) and the second paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 4, 1929 (45 Stat. 1602; 16 U.S.C. 14). Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 24, 1944 (16 U.S.C. 460d), as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting "without charge," in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recrea-

tion user fees or charges or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed.

The heads of departments and agencies are authorized to prescribe rules and regulations for the collection of any entrance, admission, and other recreation user fees or charges established pursuant to this subsection for areas under their administration. Any violation of any rules or regulations promulgated under this Act shall be punishable by imprisonment of not more than six months or a fine of not more than \$500, or both. Any violation of such rules and regulations shall be under the jurisdiction of the United States district court for each district in which the violation occurs, and may be considered by a United States Commissioner appointed by said court.

(b) **SURPLUS PROPERTY SALES.**—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b)-(e) of title 40 United States Code, or the Independent Offices Appropriation Act 1963 (76 Stat. 725), or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury.

(c) **MOTORBOAT FUELS TAX.**—The amounts specified in section 209(f)(5) of the Highway Revenue Act of 1956 (relating to special motor fuels and gasoline used in motorboats).

SEPARATE ACCOUNT DIVIDED BETWEEN LAND AND WATER CONSERVATION FUND AND
MISCELLANEOUS RECEIPTS

SEC. 3. The President shall determine from time to time a division of the total amount in the separate account between those amounts to be transferred to a land and water conservation fund and those amounts to be credited to the miscellaneous receipts of the Treasury, and the necessary transfers and credits shall be made periodically, as follows:

(a) **LAND AND WATER CONSERVATION FUND.**—There shall be transferred to a land and water conservation fund (hereinafter referred to as the "fund"), which is hereby established, such moneys in the separate account as the President deems appropriate to assist the States and Federal agencies as hereafter prescribed. Moneys placed in the fund shall be available for expenditure for purposes of this Act only when appropriated, and such appropriations may be made without fiscal-year limitation. The Secretary of the Interior shall keep such accounts as are necessary for these purposes.

(b) **MISCELLANEOUS RECEIPTS.**—There shall be credited to miscellaneous receipts in the Treasury such moneys in the separate account as the President deems appropriate to help offset the cost of additional lands, at Federal and federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water-resource agencies.

ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL
PURPOSES: AUTHORIZATION FOR ADVANCE APPROPRIATIONS

SEC. 4. **ALLOCATION.**—(a) Appropriations from the land and water conservation fund shall be available for both State and Federal purposes as provided in this Act in per centage of 60 per centum for State purposes and 40 per centum for Federal purposes, except that the President, on the basis of the respective State and Federal needs, may increase from time to time the proportional amount for either State or Federal purposes by no more than 15 per centum of the total.

(b) **ADVANCE APPROPRIATIONS; REPAYMENT.**—Beginning with the third full fiscal year in which the fund is in operation, and for a total of eight years, advance appropriations are hereby authorized to be made to the fund from any moneys in the Treasury not otherwise appropriated in such amounts as to average not more than \$60,000,000 for each fiscal year. Such advance appropriations shall be available for Federal and State purposes in the same manner and proportions as other moneys appropriated from the fund. Such advance appropriations shall be repaid without interest, beginning at the end of the next fiscal year after the first ten full fiscal years in which the fund has been in operation, by transferring, annually until fully repaid, to the general fund of the Treasury 50 per centum of the revenues received by the land and water conservation fund

each year under section 3 of this Act. The moneys in the fund that are not required for repayment purposes may continue to be appropriated and allocated in accordance with the procedures prescribed by this Act.

FINANCIAL ASSISTANCE TO STATES

SEC. 5. GENERAL AUTHORITY; PURPOSES.—(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) APPORTIONMENT AMONG STATES; NOTIFICATION.—Sums appropriated and available for State purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

- (1) one-fifth shall be apportioned equally among the several States;
- (2) three-fifths shall be apportioned in the proportion which the population of each State bears to the total population of the United States; and
- (3) one-fifth shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the use of outdoor recreation resources of individual States by persons from outside the State as well as a consideration of the Federal resources and programs in the particular States.

The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (3) of this subsection.

The District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa shall be treated as States for the purposes of this Act, except for the purpose of paragraphs (1) of this subsection. Their population also shall be included as a part of the total population in computing the apportionment under paragraph (2) of this subsection.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 per centum of the cost of planning projects, and not more than 30 per centum of the cost of acquisition or development projects, that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary.

(d) COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act. The plan shall contain—

- (1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this Act;
- (2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;
- (3) a program for the implementation of the plan; and
- (4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available, for the maintenance of such plan, or for the training of personnel for outdoor recreation planning and related administrative responsibilities.

(e) **PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.**—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

(1) **ACQUISITION OF LAND AND WATERS.**—For the acquisition of land, waters, or interests in land or waters, but not including incidental costs, relating to acquisition.

(2) **DEVELOPMENT.**—For development, including but not limited to site planning and the development of Federal lands under lease to States for terms of twenty-five years or more: *Provided*, That the total grants to States for development projects shall not, during the first ten full fiscal years in which the fund has been in operation, exceed 10 per centum of amounts appropriated for each of said ten years for State purposes pursuant to section 5.

(f) **REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.**—Payments may be made to States by the Secretary only for those planning, acquisition, or development projects that are approved by him. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State, political subdivision, or other appropriate public agency has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State or local expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

(g) **COORDINATION WITH FEDERAL AGENCIES.**—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may, prior to the exercise of any authority under this section, issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations. The President is authorized to transfer to the Housing and Home Finance Administrator such functions relating to planning assistance of the Secretary under this section as the President may deem desirable, together with any funds available therefor. The President may, at any time, extend, revoke, or otherwise change any regulation, or transfer of authority as he deems consistent with the purposes of this section.

ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

SEC. 6. (a) Moneys appropriated from the fund for Federal purposes shall be allocated by the President, on the basis of a determination of relative needs, for the acquisition of land, water, or interests in land or waters, as follows:

(1) NATIONAL PARK SYSTEM; RECREATIONAL AREAS.—Within the exterior boundaries of areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

(2) NATIONAL FOREST SYSTEM.—Within existing or authorized areas of the national forest system, including areas now or hereafter authorized to be administered by the Secretary of Agriculture for outdoor recreation purposes.

(3) THREATENED SPECIES.—For the purposes of any national area that may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

(4) RECREATION AT REFUGES.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (76 Stat. 653).

(b) WATER PROJECTS LIMITATION.—No moneys shall be appropriated from the fund for the acquisition of additional lands, at Federal or federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water-resource agencies.

(c) ACQUISITION RESTRICTION.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.

SPECIAL MOTOR FUELS OR GASOLINE USED IN MOTORBOATS

SEC. 7. (a) SPECIAL MOTOR FUEL USED IN MOTORBOATS.—The second and third sentences of section 4041(b) of the Internal Revenue Code of 1954 (relating to special motor fuels) are amended to read as follows: "In the case of a liquid taxable under this subsection sold for use or used otherwise than as a fuel for the propulsion of (A) a motorboat, or (B) a highway vehicle (i) which (at the time of such sale or use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway the tax imposed by paragraph (1) or by paragraph (2) shall be 2 cents a gallon. If a liquid on which tax was imposed by paragraph (1) at the rate of 2 cents a gallon by reason of the preceding sentence is used as a fuel for the propulsion of (A) a motorboat, or (B) a highway vehicle (i) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway; a tax of 2 cents a gallon shall be imposed under paragraph (2)."

(b) CREDITS AND REFUNDS IN RESPECT OF SPECIAL MOTOR FUELS.—Subparagraph (J) of section 6416(b)(2) of such Code (relating to credits and refunds on certain specified uses and resales) is amended to read as follows:

"(J) in the case of a liquid in respect of which tax was paid under section 4041(b)(1) at the rate of 3 cents or 4 cents a gallon, used or resold for use otherwise than as a fuel for the propulsion of (i) a motorboat, or (ii) a highway vehicle (a) which (at the time of such use or resale) is registered, or required to be registered, for highway use under the laws of any State or foreign country, or (b) which, in the case of a highway vehicle owned by the United States, is used on the highway; except that the amount of any overpayment by reason of this subparagraph shall not exceed an amount computed at the rate of 1 cent a gallon where tax was paid at the 3-cent rate or at the rate of 2 cents a gallon where tax was paid at the 4-cent rate:"

(c) GASOLINE USED IN MOTORBOATS.—Subsection (a) of section 6421 of such Code (relating to gasoline used for certain nonhighway purposes or by local transit systems) is amended to read as follows:

"(a) CERTAIN NONHIGHWAY USES.—If gasoline is used otherwise than as a fuel in (1) a motorboat, or (2) a highway vehicle (A) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which, in the case of a highway vehicle owned by the United States, is used on the highway, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such

gasoline an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid at the rate of 3 cents a gallon and 2 cents for each gallon of gasoline so used on which tax was paid at the rate of 4 cents a gallon."

(d) HIGHWAY TRUST FUND.—Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(5) TRANSFERS FROM THE TRUST FUND FOR SPECIAL MOTOR FUELS AND GASOLINE USED IN MOTORBOATS.—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the separate account from which funds are transferred to the land and water conservation fund amounts as determined by him in consultation with the Secretary of Commerce equivalent to the taxes received on or after January 1, 1964, under section 4041(b) of the Internal Revenue Code of 1954 with respect to special motor fuels used as fuel for the propulsion of motorboats and under section 4081 of such Code with respect to gasoline used as fuel in motorboats."

(e) EFFECTIVE DATES.—

(1) The amendment made by subsection (a) shall apply with respect to liquid sold for use or used on or after the effective date of this section.

(2) The amendment made by subsection (b) shall apply with respect to liquid used or resold for use on or after the effective date of this section.

(3) The amendment made by subsection (c) shall apply with respect to gasoline used on or after the effective date of this section.

(4) For purposes of this subsection, the effective date of this section is January 1, 1964.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C. January 28, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing a draft of a bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.¹

This legislation is an outgrowth of the significant findings and recommendations of the Outdoor Recreation Resources Review Commission. It will advance the program outline in your conservation message of last year and complement the steps already taken in establishing the Bureau of Outdoor Recreation and the Recreation Advisory Council.

Tremendous public demand has developed in recent years for outdoor recreation areas, facilities, and opportunities. Approximately 90 percent of our people participate in some form of outdoor recreation, and some \$20 billion is spent annually for this purpose. Although the available resources are inadequate to meet even today's needs, the demands are expected to triple by the turn of the century. The outdoor experience is a part of our heritage and vital to the American way of life. We would be most unwise if we did not provide intelligently and responsibly for our present and future outdoor recreation needs.

The draft legislation is similar to the land conservation fund bill which you submitted last year. The most significant change is the addition of a new authorization for 50-percent matching grants to the States for planning, and 30-percent grants for acquisition and development, of needed outdoor recreation resources. This program will aid the States in meeting their primary responsibility, as recognized by the Outdoor Recreation Resources Review Commission, to provide adequate and varied outdoor recreation opportunities for their growing populations. Moneys made available for State programs through appropriations from the land and water conservation fund will be apportioned among the States as follows: one-fifth divided equally, three-fifths apportioned on the basis of population, and one-fifth allocated according to need. Each State's share will remain available to it for obligation through the third fiscal year after notification of its apportionment.

To qualify for financial assistance, the proposed acquisition or development projects must conform to a suitable comprehensive statewide outdoor recreation plan, and the States may receive assistance in the preparation of such a plan

¹ Subsequently S. 859.

and in training needed personnel. The State plan must take into consideration Federal resources and programs and relevant State, regional, and local plans. Because the most urgent requirement today is to set aside valuable outdoor recreation resources in public ownership, before escalating land prices and rapid diversion to other purposes put them out of reach, the bill limits expenditures for State development work for the next 10 years to 10 percent of the moneys available for State assistance. In the administration of the program, it is our intention to consult closely with the responsible State agencies, including the formation of advisory bodies where desirable, and to operate under terms of mutual coordination with other Federal agencies.

The land and water conservation fund also will be available to finance such Federal acquisition of land and water as may be otherwise authorized for (1) areas of the national park system and areas administered by the Secretary of the Interior for outdoor recreation purposes; (2) the national forest system; (3) purposes of national areas for the preservation of species of fish or wildlife threatened with extinction; and (4) incidental recreation purposes in connection with national fish and wildlife conservation areas as authorized by Public Law 87-714 (H.R. 1171, 87th Cong.).

As with the measure submitted last year, revenues from certain sources would be set aside for the purposes of this legislation. These sources are (1) proceeds from entrance, admission, and other recreation user fees or charges at Federal land and water areas, and the bill authorizes the President to establish such fees, including a conservation automobile sticker; (2) proceeds from the sale of Federal surplus real property; and (3) the proceeds of the 4-cent-per-gallon tax on gasoline and special motor fuels used in motorboats. A portion of these revenues will be credited to the miscellaneous receipts of the Treasury to help offset the costs of acquiring additional lands for recreation and fish and wildlife enhancement at Federal and federally assisted water development projects. The major portion of the revenues, however, would be transferred to the land and water conservation fund to finance the State and Federal programs.

To assure adequate financing of this urgently needed program when the States are prepared to participate fully, advance appropriations averaging \$60 million a year for 8 years would be authorized beginning with the 3d year, with provision for repayment thereafter from 50 percent of the revenues available to the fund. The fund will be used in the proportion of 60 percent for State purposes and 40 percent for Federal purposes, and the proportion may be varied up to 15 percent either way depending on need.

The bill proposes a fiscally responsible means of financing the urgently needed State and Federal programs. I recommend that this legislation be submitted to the Congress for appropriate action.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

(The White House made public today the following letter from the President to the President of the Senate and the Speaker of the House of Representatives:)

THE WHITE HOUSE, *February 14, 1963.*

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

HON. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. PRESIDENT (DEAR MR. SPEAKER): In my conservation message last year I pointed out that adequate outdoor recreation facilities are among the basic requirements of a sound conservation program. The need for an aggressive program to provide for our outdoor recreation needs is both need and immediate, as demonstrated by the significant findings and recommendations of the Outdoor Recreation Resources Review Commission. Accordingly, I am transmitting with this letter draft legislation which would help provide for these needs through the establishment of a land and water conservation fund.

The Outdoor Recreation Resources Review Commission, a bipartisan group including eight Members of the Congress, found that the demand for outdoor recreation is growing dramatically. Americans are seeking the out of doors as never before—about 90 percent participate annually in some form of outdoor

recreation. Today's resources are inadequate to today's needs and the public demand for outdoor recreation opportunities is expected to triple by the turn of the century.

Last year in my conservation message I noted that our magnificent national parks, monuments, forests, and wildlife refuges were in most cases either donated by States or private citizens or carved out of the public domain, and that these sources can no longer be relied upon. The Nation needs a land acquisition program to preserve both prime Federal and State areas for outdoor recreation purposes. The growth of our cities, the development of our industry, the expansion of our transportation systems—all manifestations of our vigorous and expanding society—preempt irreplaceable lands of natural beauty and unique recreation value. In addition to the enhancement of spiritual, cultural, and physical values resulting from the preservation of these resources, the expenditures for their preservation are a sound financial investment. Public acquisition costs can become multiplied and even prohibitive with the passage of time.

The land and water conservation fund measure I am proposing will enable the States to play a greater role in our national effort to improve outdoor recreation opportunities. This proposal grows out of and is generally consistent with the recommendations of the Outdoor Recreation Resources Review Commission.

The Recreation Advisory Council, made up of the heads of the departments and the agency principally concerned with recreation, is now functioning and provides a forum for considering national recreation policy and for facilitating joint efforts among the various agencies. A Bureau of Outdoor Recreation has also been established in the Department of the Interior to serve as a focal point for correlation within the Federal Government for Federal activities and to provide assistance to the States.

The Outdoor Recreation Resources Review Commission recommended that the States play the pivotal role in providing for present and future outdoor recreation needs. They face major problems, however, in financing needed outdoor recreation facilities. Accordingly, I am proposing in the land and water conservation fund a program of grants-in-aid to the States to assist them in their outdoor recreation planning, acquisition and development. The proposed grants-in-aid would be matched by the States and thus serve to stimulate and encourage broad State action.

The Federal portion of the fund—estimated at 40 percent—would be authorized for acquisition of land and waters in connection with the national park system, the national forest system, or for preservation of fish and wildlife threatened with extinction. No new acquisition authorities are contemplated in the proposal. The fund would provide a source of funding for existing acquisition authorities or for those subsequently enacted.

It is reasonable and in the public interest that needed improvements and expansion of outdoor recreation opportunities be financed largely on a pay-as-you-go basis from a system of fees collected from the direct beneficiaries—the users of Federal recreation lands and waters. The proposed land and water conservation fund would therefore be financed in part from Federal entrance, admission, or other recreation user fees. In addition, the fund would be financed from the sale of Federal surplus real property and from the proceeds of the existing 4-cent tax on marine gasoline and special motor fuels used in pleasure boats.

The enclosed letter from the Secretary of the Interior discusses additional features of the proposal.

Actions deferred are all too often opportunities lost, particularly in safeguarding our natural resources. I urge the enactment of this proposal at the earliest possible date so that a further significant step may be taken to assure the availability and accessibility of land and water-based recreation opportunities for all Americans.

Sincerely,

JOHN F. KENNEDY.

Chairman JACKSON. So far as I know, there is no disagreement about the objectives of this bill. A Democratic President is proposing to implement recommendations made to him by a bipartisan Commission headed by the appointee of a Republican President.

We may have some disagreement about exactly how we are going about the job before the hearing is over. Constructive suggestions are welcome.

We are going to start the hearing this morning, however, with a significant joint appearance by two members of the President's Cabinet, whose predecessors have historically been rivals in sometimes mild, and sometimes very animated interagency rivalry over jurisdiction over recreation lands and programs.

Secretary of the Interior Stewart Udall and Secretary of Agriculture Orville Freeman have achieved interdepartmental cooperation to an extent unknown to any of the members of this committee except possibly Senator Hayden. It could be that 50 years ago, during Senator Hayden's first years in Washington, such cooperation existed. None of the rest of us can recall any such close harmony between the Interior and Agriculture Departments, however.

Seriously, I think the cooperation of Secretary Udall and Secretary Freeman, in the interest of optimum service to the public in the recreation field—and in other fields—merits an expression of appreciation on behalf of all of us.

Their recent letter of agreement on certain disputed recreation areas, and consultive procedures to be followed in the future, has been described as a historic document—the "Treaty of Washington"—in one newspaper. We hope there will not be any violations of the treaty.

Secretary Freeman and Secretary Udall, we welcome your joint appearance here today on S. 859.

We welcome with you our old friend, Dr. Edward C. Crafts, former Assistant Chief of the Forest Service in the Department of Agriculture who is now Director of the Bureau of Outdoor Recreation in the Department of the Interior.

I hope that this fine spirit of cooperation between the two Departments will continue.

The main beneficiaries of this fine accomplishment to date are the American people. I think it is gratifying to see that the two Departments, which are trustees of very important resources, are working so closely in behalf of the American public. We congratulate you and commend you.

Secretary Udall, would you lead off, and Secretary Freeman, feel free to move in at any time if there are any violations of the treaty.

Secretary FREEMAN. I do not want to violate the treaty. I will sit here mute for the time being.

Chairman JACKSON. I understand, like most treaties, it is necessary to have implementing legislation.

STATEMENT OF HON. STEWART L. UDALL, SECRETARY OF THE INTERIOR, ACCOMPANIED BY EDWARD C. CRAFTS, DIRECTOR OF THE BUREAU OF OUTDOOR RECREATION

Secretary UDALL. Thank you very much, Mr. Chairman.

We do appreciate the opportunity to appear together and stand shoulder to shoulder on this legislation.

We fortunately have had several people to work with in both of our departments. Dr. Crafts himself, I think, has done a great deal and made a major contribution, as has Dr. Selke, in Secretary

Freeman's Department, in helping us iron out some of our differences and work together.

You will find no differences between us on this legislation, because we think that this is historic legislation. It can serve as landmark legislation as in the past, to enable us to enter a new era of activity in the field of conservation.

I have a written statement. I would like to file it with the committee. I will read parts of it and try to summarize the rest.

Chairman JACKSON. Without objection, it will appear at this point in the record.

(The statement of Secretary Udall follows:)

PREPARED STATEMENT OF SECRETARY OF THE INTERIOR STEWART L. UDALL

I appreciate the opportunity to appear here today in support of S. 859 by Senator Jackson and 15 other Senators. This is a bill to establish a land and water conservation fund and to assist both States and Federal agencies in meeting outdoor recreation needs.

This bill was recommended by the President to the Congress on February 14. If enacted substantially as recommended, I am firmly convinced that it will go down in history as one of the major pieces of conservation legislation of the 1960's. It will be historic legislation.

The bill is an outgrowth of the recommendations of the Outdoor Recreation Resources Review Commission, the conservation message from the President to the Congress of March 1, 1962, the consideration given by the Congress to somewhat similar legislation last year, and intensive study since then by the newly created Bureau of Outdoor Recreation.

The ORRRC Commission placed strong emphasis on the key role of the State governments in meeting outdoor recreation needs. It recommended that "Each State should prepare a long-range plan for the development of outdoor recreation opportunities" and that "States should undertake a program of land acquisition and development as scheduled in the State outdoor recreation plan." The Commission further recommended Federal financial grants to States for planning, land acquisition, and development.

The bill provides for all of these things although the proportions of Federal cost sharing recommended by the Commission were more liberal than those in the present bill.

The President, in his conservation message a year ago, supported these findings of the Outdoor Recreation Resources Review Commission. The message urged the Congress to enact legislation to establish a program of matching grants for the preparation of State plans for outdoor recreational programs.

The message also proposed the creation of a land conservation fund to be financed from several sources to aid in the necessary acquisitions of public land; and it made clear that the proposed program of Federal assistance for State agencies would be administered by the newly created Bureau of Outdoor Recreation in the Department of the Interior.

Last year, this committee had before it two predecessor bills, S. 3117 and S. 3118. The former dealt with certain organic authorities for the Bureau of Outdoor Recreation and the provision of planning grants to States for outdoor recreation. S. 3118 would have established a land conservation fund for financing Federal acquisitions.

This committee held hearings on both bills and the Senate passed S. 3117. The House committee held hearings on counterpart bills before that body, but took no action.

In the light of congressional consideration last year and further study, the administration has recommended to the Congress this year that basic authorities for the Bureau of Outdoor Recreation be contained in a separate bill, S. 20. This bill has already been heard and favorably reported by this committee. However, the planning provisions are incorporated in the bill before you this morning rather than in the organic bill as was the case a year ago.

Last fall, after it became apparent that the land conservation fund bill (S. 3118) was not to be enacted, the Bureau of Outdoor Recreation initiated a series of extensive discussions of legislative needs with key State officials from many States, with conservation, fish and wildlife, recreation and industrial

groups, and with the Federal agencies primarily concerned. The outgrowth of these discussions is in the bill before you this morning.

There are three basic ideas upon which this legislation is predicated.

The first is that States should occupy the key role in the administration and development of public outdoor recreation opportunities.

The second is that a substantial acreage of land needs to be acquired by public agencies in order to make it possible to meet future recreation needs and that this acquisition needs to occur promptly before the lands either become unavailable for recreation because of commitments to other uses or prohibitive expense.

The third is that acquisitions should be financed with as little impact as possible on the Federal budget and as a corollary, that recreationists—the direct beneficiaries—should pay a reasonable portion of these costs. The bill carries out these three premises.

There are numerous differences between S. 859 and the land conservation fund bill of a year ago. The primary ones are:

1. The present bill includes provision for statewide outdoor recreation planning and makes such planning a prerequisite to Federal assistance to the States in acquisition and development of recreation areas.

2. The bulk of the fund is to be made available to the States, roughly on a 60 percent State-40 percent Federal basis with some latitude for adjustment either way. Last year, the fund was to be used entirely for Federal acquisition.

3. Last year there was no provision for any moneys to be used by the States for either acquisition or development. This year, in accordance with the ORRRC report, such provision is included.

4. The sources of financing have been altered. The controversial boat tax provision of a year ago is excluded. Funds from the sale of all surplus lands—both military and nonmilitary—would be available; whereas last year, the provision was for nonmilitary sales only. This year, the proposal includes the 4 cent per gallon tax currently received from gasoline and special fuels used in motorboats; whereas last year, the amount was limited only to the 2 cent refundable portion.

5. No new Federal acquisition authorities would be provided in the bill. The moneys for additional acquisition would be used under existing or subsequently enacted authorities. This is a variant from last year. It is important to point out that this bill is not an omnibus Federal acquisition bill.

I am attaching to my testimony, and making it a part thereof, a section-by-section description of the bill. Its provisions are also referred to in my letter of January 28 recommending the bill to the President and in his letter of February 14 recommending the legislation to the Congress.

Even so, I would like to briefly review the contents of the bill for you this morning.

Basically, the bill establishes a land and water conservation fund to be used partly by the States and partly by certain designated Federal agencies primarily for the planning, acquisition, and development of outdoor recreation areas.

The first step would be the establishment of a separate account in the Treasury to be composed of revenues from recreation entrance or user fees on Federal lands, from the sale of surplus property, and from the existing 4-cent-per-gallon tax on special pleasure boat fuels.

A portion of the separate account, as determined by the President, would be credited to miscellaneous receipts to help offset the cost of acquisition of Federal lands for recreation and fish and wildlife enhancement at Federal and federally assisted water projects.

The remainder of the special account would be transferred to a land and water conservation fund. In addition to the revenue sources proposed, there would be authorized an appropriation of \$60 million annually for 8 years to be added to the fund. These advance appropriations would begin to be repaid beginning with the 11th year, using 50 percent of current revenues to the fund to do so.

The land and water conservation fund would be divided 60 percent to the State and 40 percent to designated Federal agencies with the provision that the President could adjust this percentage allocation up or down 15 percent.

The moneys available to States could be used for planning, acquisition of recreation lands, or capital investments on such lands. There is included a formula for apportionment of funds among the States on the basis of one-fifth

equally among States, three-fifths on basis of population, and one-fifth on basis of need as determined by the Secretary of the Interior.

For planning purposes, States would need to match the Federal dollars on a 50-50 basis. For State acquisition or development, the Federal dollar would make up 30 percent of the total cost and the States would be required to supply 70 percent. For the first 10 years, not more than 10 percent of the moneys appropriated for State purposes each year could be used for development.

The States would be required to have a comprehensive statewide outdoor recreation plan meeting certain standards and approved by the Secretary of the Interior as a prerequisite to receiving Federal assistance for acquisition or development. The State plans would need to be correlated with existing State, regional, and local plans.

The Federal portion would be available for acquisitions to the national park system and areas administered by the Secretary of the Interior for outdoor recreation, to the national forest system, and to the Bureau of Sports Fisheries and Wildlife for the preservation of species threatened with extinction.

In my judgment, the bill before you is better and more soundly conceived legislation than the bill of a year ago. It has widespread support among the various State agencies concerned with outdoor recreation, such as the State park directors, the State fish and game directors, the State foresters, and the departments of resource development and economic planning. It also has widespread support among the conservation and recreation organizations over the country.

This is a fair statement even though amendments are desired by some of these groups. I would be less than candid if I failed to tell you that in a bill of this nature, which is a pioneering piece of conservation legislation, unanimity of viewpoint on all details is impossible to achieve.

The question of entrance, admission, and user fees is a case in point. Much study has been given to this and we have in mind a conservation car sticker good for the use of Federal lands and waters for recreation, and also good for a year and for an unlimited number of visits. I wish to emphasize no decision has been reached on details. The matter of entrance, admission, or user fees that might be applied under the bill is to be determined by the President and he would be advised on these matters by his Recreation Advisory Council.

I firmly believe that it is equitable for recreationists to pay a reasonable fee for the recreational use of Federal lands and waters. This is a common practice now in many State areas and at many national parks. It is being applied in a limited way on some other Federal areas. Also, the application of user fees for recreation on Federal lands would be a great stimulus to recreational investment by private enterprise. Private landowners are now disadvantaged by having to compete with the free use of public lands.

The percentage of State matching required in the bill of 50 percent for planning purposes and 70 percent for acquisition and development is a moot question and one that doubtless will be discussed by representatives of the States.

Likewise, I believe most States feel that the 10-percent limitation on use of moneys for development purposes is too restrictive.

The formula for apportionment of moneys between the States on the basis of area, population, and need has been debated at length. Those States with large areas and relatively low population would like to see greater weight given to area. The reverse is also true.

You may wonder what is involved here in the way of total dollars. We have made some estimates, but they are necessarily no more than estimates for several reasons: Decisions have not been reached with respect to the details of user fees. Only an approximation can be made as to amount of revenues from the other sources. Discretion is given to the President as to the percentage of the separate account direct to miscellaneous receipts, and there is also flexibility in the percentage of the fund to be distributed between State and Federal agencies. A further major uncertainty is that any of the revenues as well as the advance authorizations must be appropriated by the Congress before becoming available.

Despite these uncertainties, our estimate is that a typical year of the first 10-year period, when the program is fully underway, might bring in about \$150 million, of which 20 percent might be diverted to help offset the cost of special land acquisition at Federal reservoir projects, leaving \$120 million in the conservation fund to which might be added the \$60 million of advance authorizations—or a total in the fund for a typical year of \$180 million. Some \$55 mil-

lion of this \$180 million might be allocated to the three Federal agencies benefiting from the projects with the remainder, or \$125 million going to the States. The proposals for Federal acquisition roughly work out at 40 percent to the Park Service, 40 percent to the Forest Service, and 20 percent for the Bureau of Sport Fisheries and Wildlife.

The apportionment of \$125 million to the States might be divided between planning and acquisition and development as follows: planning, \$1 million; acquisition, \$112 million; development, \$12 million. This would require a total State matching of \$290 million. Thus, in a typical year, the sum of both State and Federal expenditures under the legislation might work out, if fully implemented, at 210 million Federal dollars and 290 million State dollars, or a total of \$500 million.

In conclusion, I would echo the report of the Outdoor Recreation Resources Review Commission that "Whatever the measuring rod—it is clear that Americans are seeking the outdoors as never before." The President pointed out in his letter of transmittal that 90 percent of Americans take part annually in some form of outdoor recreation and the demand is expected to triple by the turn of the century.

Most of our magnificent parks, forests, and monuments and wildlife refuges were either carved out of the public domain or donated by private citizens or States. As our cities grow and our industrial and transportation systems develop, they preempt irreplaceable lands of natural beauty and unique recreation value.

The Nation needs a land-acquisition program to preserve and protect prime State and Federal areas for outdoor recreation purposes. It needs it now before these lands are taken irrevocably for other uses and before public acquisition costs become prohibitive with the passage of time.

S. 859 would provide a fiscally responsible means for obtaining an adequate recreational land base. I urge the committee's favorable consideration.

SECTION-BY-SECTION ANALYSIS, LAND AND WATER CONSERVATION FUND BILL

Title: To establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people.

Section 1(a) : Act cited as "Land and Water Conservation Fund Act of 1963."

(b) : Purposes: To strengthen the health and vitality of the Nation, assure land- and water-based outdoor recreation opportunities for the people by (1) providing funds for assistance to States in planning, acquisition, and development; and (2) providing funds for Federal acquisition of land and water areas.

Section 2: Establishes a separate account in the Treasury composed of revenues from (a) entrance and user fees, authorizing the establishment of such fees by the President; (b) surplus real property sales; (c) Motorboat fuels tax revenues of 4 cents per gallon.

Section 3: Provides for division of the separate account for two general purposes. There would be transferred to a land and water conservation fund such moneys in the separate account as the President deems appropriate to assist the States and Federal agencies. Moneys placed in the fund would be available for expenditure only when appropriated. The remainder of the moneys in the separate account, as determined by the President, would be credited to miscellaneous receipts in the Treasury to offset the cost of additional lands at Federal and federally assisted water development projects for public recreation, and fish and wildlife enhancement financed through project appropriations to water resource agencies.

Section 4(a) : Moneys appropriated from the land and water conservation fund would be divided on the basis of 60 percent for State and 40 percent for Federal purposes, except that the President could change this either way by as much as 15 percent.

(b) : Beginning the third year of the program, and for 8 years, advance appropriations would be authorized—to average not more than \$60 million each year. Such appropriations would be repaid, after the 10-year period, using 50 percent of the fund revenues.

Section 5(a) : Outlines general procedures governing the financial assistance to the States. The Secretary would provide financial assistance under terms and conditions he would consider appropriate for (1) planning, (2) acquisition of lands, and (3) development.

(b) : The moneys would be apportioned among the States as follows : one-fifth equally among all the States ; three-fifths on a population basis ; and one-fifth on the basis of need. Any apportionment to a State must be used or obligated during the fiscal year in which the apportionment is made or within 2 years thereafter.

(c) : Matching requirements. Planning projects could receive 50 percent of the cost. Projects for acquisition or developments would receive up to 30 percent of the cost.

(d) : Comprehensive State plan required. Such a plan would be required prior to financial assistance for acquisition or development. Certain requirements for the plan are stated in the bill. Also, State plans are to be correlated so far as practicable with other State, regional, and local plans. When Housing and Home Finance Agency plans exist for the State, the same population, growth, and other pertinent factors are to be used in formulating the comprehensive outdoor recreation plan. If a State does not have a comprehensive plan, the Secretary may provide financial assistance for that purpose.

(e) : Land and water acquisition ; development projects. States may receive financial assistance for acquisition of land, waters, or interests in lands and waters. Grants for development could include site planning and the development of Federal lands under lease to States for 25 years or more. During the first 10 years of the program not to exceed 10 percent of the amounts appropriated could be used for development.

(f) : Requirements for project approval. Payments would be made to States only for approved projects. Payments could be made in keeping with the rate of progress toward completion of projects. Approval of all projects would be withheld until the Secretary is assured that the State has the ability and intention to finance its share of the cost.

(g) : Coordination with Federal agencies. To assure consistency in policies and coordination with the programs conducted by Housing and Home Finance Agency, the President may issue regulations. Also, he would be authorized to transfer to Housing and Home Finance Agency the Secretary's planning assistance functions.

Section 6(a) : Moneys appropriated from the fund for Federal purposes would be allocated by the President for (1) purposes of the national park system and areas authorized to be administered for outdoor recreation purposes ; (2) for the national forest system ; (3) for purposes of national areas for the preservation of threatened species of fish and wildlife ; and (4) for incidental recreation purposes of wildlife refuges.

Section 7 : This section implements section 2(c) which provides for use of the funds received from special motorboat fuel taxes for purposes of the land and water conservation fund.

Secretary UDALL. This bill that you presently have represents, Mr. Chairman, really 2 years of work.

We had the feeling, when we came in 2 years ago, that this is the type of legislation we would ultimately end up with. We decided the wisest thing to do is in the first place to wait for the Outdoor Recreation Committee report, which was filed a year ago. Then we drafted a first piece of legislation which the President submitted last spring.

We began too late for Congress to actually finish and enact the bill last year—and after Congress went home, we redesigned and reshaped the legislation.

I frankly think this bill is a much stronger bill. I think it is one which should have much wider support.

The main change in the bill—there are various changes that are important—but the main change is that we have brought the States into the program. I need not remind this committee, because several of its members were leading members on the Outdoor Recreation Commission report—that one of the basic findings of that report was that not only was a greater effort needed nationally in outdoor recreation, but that the States were going to have to do a major part of the

job. So I think the State emphasis is very well placed, and we hope that the committee will see it as a wise step.

The bill provides for all of the things that I have mentioned, although the proportions of Federal cost sharing recommended by the Commission were more liberal than those in the present bill.

In light of congressional consideration last year and further study, the administration has recommended to Congress this year that basic authorities for the Bureau of Outdoor Recreation be contained in a separate bill.

This bill has already been heard and reported. It is on the calendar today, as the chairman has indicated.

There are three basic ideas upon which this legislation is predicated. The first is that the State should occupy the key role in the administration and development of public outdoor recreation opportunities.

The second is that a substantial acreage of land needs to be acquired by public agencies in order to make it possible to meet future recreation needs and that this acquisition needs to occur promptly before the lands either become unavailable for recreation because of commitments to other uses or prohibitive expense.

The third is that acquisitions should be financed with as little impact as possible on the Federal budget and as a corollary, that recreationists—the direct beneficiaries—should pay a reasonable portion of these costs. The bill carries out these three premises. There are numerous differences between S. 859 and the land conservation fund bill of a year ago. The primary ones are:

1. The present bill includes provision for statewide outdoor recreation planning and makes such planning a prerequisite to Federal assistance to the States in acquisition and development of recreation areas.

2. The bulk of the fund is to be made available to the States, roughly on a 60-percent State-40-percent Federal basis with some latitude for adjustment either way.

I might say there is some flexibility in a lot of provisions of this bill. We think this is wise.

We think this is what is needed.

Last year, the fund was to be used entirely for Federal acquisition.

3. Last year there was no provision for any moneys to be used by the States for either acquisition or development. This year, in accordance with the ORRRC report, such provision is included.

4. The sources of financing have been altered. The controversial boat tax provision of a year ago is excluded. Funds from the sale of all surplus lands—both military and nonmilitary—would be available; whereas last year, the provision was for nonmilitary sales only. In other words, we would be taking money the Federal Government realizes from the sale of lands and would put it right back into the lands, asset for asset.

This year, the proposal includes the 4-cents-per-gallon tax currently received from gasoline and special fuels used in motorboats; whereas last year, the amount was limited only to the 2-cent refundable portion.

I believe it is logical that if you are going to have anything, you should have the full amount.

Also, there is another important change. The motorboat people and the water people have certainly been heard from. We think that they had a complaint to make about the legislation last year. We call the proposal this year to establish a "land and water conservation fund." Most of the fund will be used for the acquisition and development of properties that are needed for both land- and water-based outdoor recreation.

5. No new Federal acquisition authorities would be provided in the bill. The moneys for land acquisition would be used under existing or subsequently enacted authorities. This is a variant from last year. It is important to point out that this bill is not an omnibus Federal acquisition bill.

In other words, all of our individual proposals will come before the Congress in the usual way.

I have submitted, in my prepared testimony, a section-by-section description of the bill. Its provisions are also referred to in my letter of January 28 recommending the bill to the President and in his letter of February 14 recommending the legislation to the Congress.

Secretary UDALL. I would like to review briefly the contents of the bill for you this morning.

The chart here does such a good job—I hope all the members of the committee can see it. I would like, if I may, to refer to this because I think this summarizes the matter as quickly and neatly as one could.

Now, of course, the idea is to have a special fund. This is not a new concept. In fact, conservation generally, both at the State level and the Federal level—I can refer to such things as the Dingell-Johnson Act, the Pittman-Robertson Act, the reclamation fund, going back 60 years, for special funding—the special funding idea has been used frequently and effectively for conservation-type projects.

The revenues that would go into this fund, are your recreation-user fees, for those who use Federal areas for out-of-doors recreation, the surplus real property net proceeds which I have indicated, and the 4-cent motorboat fuel tax.

There is a provision in the legislation which provides that part of the money would be diverted from the separate account. This would be a flexible amount, determined by the President and director of the budget each year—to partially offset the cost of additional land for recreation and fish and wildlife enhancement at Federal water projects.

One of the complaints that many Members of Congress quite rightly had in the past, where we have built major reservoirs, such as those constructed by the Corps of Engineers and the Bureau of Reclamation, is that we have failed to acquire surrounding lands that were needed to provide adequate public access for outdoor recreation, and for fish and wildlife. The administration has adopted a new policy with regard to this. It still has been somewhat difficult to get the appropriations committees to appropriate sufficient money for this purpose. This feature of the bill would be what we call a spillover of funds into miscellaneous receipts, into the General Treasury, to help compensate in part for the acquisition of these very important lands.

There is authorized, beginning the third year of the program, advance appropriations if they are needed, and as they are needed. This would be decided on a year-to-year basis—such advance appropriations would amount to a loan to the fund to make it effective. We would repay those loans, which might average as high as \$60 million a year, beginning in the 11th year, using half of the fund revenues for this purpose. This would be somewhat similar to the program that Congress authorized 2 years ago with respect to wetlands acquisition, where we are in effect borrowing, making advance borrowings that will be repaid out of duck stamp revenues, and we have acquired the necessary lands.

A portion of the moneys from the fund would be used on the Federal level for these purposes: New additions to the national park system authorized by the Congress—I need not remind the members of this committee that things like Cape Cod and Point Reyes and Padre Island—these three that the Congress enacted, cost \$16 million, \$14 million, and \$6 million. These seashore areas particularly are very costly.

There was a time when we could look to our great surplus of public lands for conservation purposes, and sometimes by the stroke of a pen or congressional act, create new national parks or national monuments, out of our public surplus. I still hope that we can do this in a few places, such as the Canyonland area in Utah. But times have changed and many of these authorizations in the past and the proposals that are pending before this committee today necessarily are costly.

There would also be—and Secretary Freeman will cover this in more detail—acquisition for the national forest system which again will have a close relationship to the very heavy responsibilities that the Department of Agriculture has had in outdoor recreation.

The truth of the matter is that in terms of visitors to our Federal lands, the Department of Agriculture, even though it has had and always must have multiple responsibilities with regard to its land—has borne a very heavy share of the load and must continue to do so as far as outdoor recreation use is concerned.

We also have an authorization for acquisition of refuges to add to our wildlife system to protect certain species that are threatened with extinction.

Now, under the bill as it is presently written, the States would get 60 percent of the money, and the Federal programs would get 40 percent of the money, with a 15-percent sliding provision. In other words, each year we would sit down, we would see initially what portion of the original separate account should be used for this spill-over into miscellaneous receipts for the purposes to which I have referred previously relating to Federal reservoirs and the acquisition of additional land for recreation and fish and wildlife enhancement. The remainder of the separate account would constitute the fund and it might be in a given year that the States would get more than 60 percent of the land and water conservation fund. It might be that they would get less, but we think this type of flexibility is needed for the appropriations committees and for the executive department to handle the program properly.

As far as the States are concerned—

Senator ANDERSON. May I stop you there, Mr. Secretary. A group of people interested in this in some of the Western States have sent messages here to the committee, which are going to be put into the record in a few minutes, suggesting that this should be on a 75-25 basis. As I understand your statement, you intend to go as far in that direction as you can. But no one will be obligated to go the full distance.

Secretary UDALL. Mr. Chairman, we think this flexibility is very important. Indeed, it may be in given years it would go as high as 75 percent. This is entirely possible. But we do not want rigidity. I think this would harm the program. In other words, let me put it this way:

Congress might authorize—a given Congress—a whole group of new seashore areas. These might cost a great deal of money. We might have to have for a short period of time very heavy emphasis on Federal acquisitions. This might last a year, and might last 2 years. There might be periods when the Federal program and Federal needs would be lower. In that event, we could go as high as 75 percent aid to States. This is what we would like to do, as required and justified by the circumstances.

But I think this flexibility is extremely important. We lay stress on it. There are other similar flexible provisions that I will point out to the committee later that we have in the bill.

Senator ANDERSON. But should the committee acknowledge these messages that have been received from these associations and say that while the bill provides 60 percent State and 40 percent Federal programs, but the minds of those who administer the program are not completely closed, and there is a possibility some years the State share could reach as high as 75-25. I think it would be helpful to them if they knew it was not exactly a closed issue.

Secretary UDALL. That is right.

Now, with regard to what the States do with their money—these grants to the States—these would be on a matching basis, as proposed in the bill. There is plenty of room for difference of opinion on this. When we finally got down to our planning in the administration, we came down to 70-30, 30 percent Federal money and 70 percent State matching for acquisition and development.

You will find also in here some of the other questions that the State people have raised. They are entitled to be heard fully on this.

Some of the States feel that more money than we have indicated in the legislation should be used for development, particularly some of the Western States. Where they have a surplus of land they say "Our need is not acquisition, but our need is development."

There is also the fact that some of the States might not be too eager to participate, or might be slow in participating, in getting matching money. We think it very important that the Bureau of Outdoor Recreation in these instances be ready to work with those States that are ready to go ahead.

I know there are many States in the Union where they are ready to move with programs but where they might be reluctant to move in with necessary matching funds. We think again a certain degree of flexibility is very important.

The States could use money allocated under the bill for planning, for acquisition, development, or whatever use this Congress decides with regard to the development of outdoor recreation opportunities.

The formula, as I say, that is written into the bill is a 70-30 formula.

Now, these are the main elements of the program.

I should like to discuss one matter particularly, though, with this committee, because most of the members of the committee are westerners. I think some of the western people have a little bit of a difficulty or are having a little difficulty shifting their thinking, shifting their gears, as it were, with regard to entrance and user fees for those who use the Federal lands for outdoor recreation purposes.

This does represent to some extent a historic departure, and I think that we should discuss it very frankly.

I want briefly, if I may, to discuss this, because the tradition that we have had in the past in this country of the great American outdoors being free is a great tradition. All of us wish that we could keep it that way. The truth of the matter is that many of the States—I know Secretary Freeman's State, I think under his leadership—have pioneered in this field. More and more of the States are charging user fees.

In fact, the truth of the matter is that we have charged user fees in some of the Federal areas for a long time. We have done this, not on a very systematic basis, but in some of the major parks. Take, for example, the State of Wyoming, Senator Simpson's State—these two big parks in Wyoming, we have charged admission fees for a long time. There are other large parks for which we have large user fees.

What we propose to do—and we have not formed any opinion on this—indeed, we would not go ahead and make our final studies until this legislation is passed, to come up with a user fee program that is fair and equitable. We think that this makes sense in terms of the situation that the American people find themselves in today, because either we are going to have those who use the out of doors pay a modest fee, or we are not going to be able to preserve the out of doors as we have known it today.

This is our conclusion, a conclusion that I think is inescapable. We think we can devise a system of user fees that will be modest, that will be easily administered, that will be reasonable, and that everyone will regard as reasonable. And it will also be systematic.

We simply ask that the committee, in considering the various points of view that are presented, recognize the need for flexibility. We think that this decision on fees ought to be made administratively, because of all the complexities that are involved.

We know there are special problems. We will try to take into account those special problems. We will certainly be listening very carefully to what is said here and to the record that is made here.

In any event, it is my judgment that the bill before you is a better and more soundly conceived bill than that of a year ago. It has widespread support among the various State agencies concerned with outdoor recreation, such as the State park directors, State fish and game directors, State foresters, departments of resource development, and economic planning.

Incidentally, the States can use these funds in a very broad area. I think that the most outstanding example of pioneering in State

recreation effort, if I were to single a State out in this country today, is what was done in Wisconsin under the leadership of Senator Nelson within the last 2 years. And here is a very broad gage program, running all the way from wildlife projects to large parks, to roadside projects. You name it, and it was in the Wisconsin program.

Some of the States are already moving and are well ahead of us in this field. State participation is and should be the strong and main feature of this program.

The percentage of matching required in the bill of 50 percent for planning purposes by the States and 70 percent for acquisition is, of course, a moot question, and one that doubtless will be discussed by the representatives of the States. There will undoubtedly be a difference of opinion on this committee. The committee, of course, will have the final say.

The administration is taking the position on what we think is the logical or the best solution.

Likewise, I recognize that most States feel that the 10-percent limitation on the use of moneys for development purposes is too restrictive. I think it is important, where some of the States are not ready to go, to consider this feature. I was surprised the other day when I was out in Nevada, discussing with the Nevada people, that although Senator Pittman, from the State of Nevada, was the coauthor of the Pittman-Robertson Act, that provides money collected from tax on firearms and ammunition to the State for wildlife projects, that it took his own State about 15 years to decide to get into the program and put up matching money.

It may be that some of the States will find for budget reasons or other reasons they are reluctant to get in. If this happens, I think it is very important that they be able to move in with funds provided by political subdivisions and claim the State share of the money, if they are ready to go.

I think it will be a mistake if we opened the door too wide, however, so that most of the money goes for development.

It is our own feeling there is not a State in the Union that does not have needs that should not get into the program in one way or another. We would not want to see the bill drafted in such a way that it actually encourages States not to participate fully, but to use the money only for development, or to fudge the whole responsibility on to the counties or the cities.

With regard to the total amount of money that might be realized through this program, there are some uncertainties. The members of the committee are entitled to know what our best judgment is at this time.

We were informed by the Bureau of the Budget a year ago that the average amount of net revenue realized by the Federal Government in the sale of surplus property of all kinds has been in the neighborhood, in the last few years, of \$55 million—that is an average figure—it goes up and down naturally depending upon what happens.

The 4-cent boat tax would bring in something in the order of \$30 million a year, using the full 4-cent tax.

What could be brought in from user fees, those who use the Federal areas for recreation in the out of doors, this would, of course, depend upon the level of the user fees, how high they were. This could vary

all the way from \$20 to \$50 million at the outset. In fact, the National Park Service, through its present user fees, brings in about \$6 million, and that money presently goes into the General Treasury.

Of course, the amount that is borrowed in advance of appropriations could and would be geared to the needs of the program in a particular year. Again, we would have flexibility, and we will come in each year with our estimates as contemplated. If our revenues are adequate, we would not ask for advance appropriations. If our revenues are short, however, we would ask for appropriations which would be repaid according to our borrowing scheme that has been outlined here.

In conclusion, Mr. Chairman, I would like to echo the report of the Outdoor Recreation Resources Review Commission that:

Whatever the measuring rod—it is clear that Americans are seeking the outdoors as never before.

The President pointed out in his letter of transmittal that 90 percent of Americans take part annually in some form of outdoor recreation and the demand is expected to triple by the turn of the century.

Most of our magnificent parks, forests, monuments, and wildlife refuges either were carved out of the public domain, or were donated by private citizens or States. As our cities grow and our industrial and transportation systems develop, they preempt irreplaceable lands of natural beauty and unique recreation value.

The Nation needs a land acquisition program to preserve and protect prime State and Federal areas for outdoor recreational purposes. It needs now before these lands are taken irrevocably for other uses and before public acquisition costs become prohibitive with the passage of time.

S. 859 would provide a fiscally responsible means for obtaining an adequate recreational land base. I urge the committee's favorable consideration.

Thank you very much, Mr. Chairman.

Senator ANDERSON. Thank you, Mr. Secretary.

The message that I referred to came from R. J. Smith, of Arizona, president of the Western Association of Game, Fish, and Conservation Commissioners.

He suggests that matching be 75-25 percent, similar to long-established Federal aid to fish and wildlife programs, total allocations to Federal Government not to exceed 40 percent of all revenues, no limitations for development, maintenance allowance not to exceed 25 percent.

Also recommend public hearings on user fee and thereafter establish such fee by congressional act.

Statements and letters have been coming to the committee on S. 859 from a number of Governors or other State officials speaking for the States.

Without objection, a telegram from Gov. Richard J. Hughes, of New Jersey, and letters from Lt. Gov. Mack Easley, of New Mexico, and Gov. John M. Dalton, of Missouri, will be put in the record. Also, letters from A. D. Aldrich, director of the Florida Game and Fish Commission, and Hugo Fisher, administrator of the Resources Agency of California.

Without objection, I will direct the staff to include communications from the State governments in the record, arranging them together in the hearing record, as has been done in the past, so messages from each State can be easily located.

(The documents referred to appear at the conclusion of the hearings, beginning on p. 200.)

Senator ANDERSON. Now, I guess I had better ask a question or two on behalf of those of us who are members of the Outdoor Recreation Resources Review Commission. That Commission recommended that the Federal grants of 75 percent for planning and 40 to 50 percent for acquisition be utilized. Section 5(c) cuts down Federal grants to only 50 percent for planning and 30 percent for acquisition. Are you familiar with the reasoning behind that change?

Secretary UDALL. No, sir. Perhaps Dr. Crafts could supply it, Senator. But naturally what we try to do is take the Outdoor Recreation Commission's recommendation, and to look at the picture as we see it, and to make whatever changes we feel are necessary.

When you get into cutting up the pie, this is a matter of judgment, where there is room for difference.

This usually depends upon what emphasis you want, or where you think the priorities lie.

Senator ANDERSON. Well, when the committee starts to consider the bill, as I assume it is going to, it naturally is going to have this recommendation for a lower rate of matching before it.

I wonder if this was done on instructions from the Bureau of the Budget, or whether it was done just because there was a meeting of groups, and you decided that was a sufficient figure. If you could, would you supply a statement some time later for the record, the two of you, on why you have held to this smaller figure than the ORRRC suggested.

(Pursuant to this request, the following letter was subsequently submitted:)

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 4, 1963.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During the recent hearings before your committee on S. 859 for the establishment of a land and water conservation fund, we were requested (pp. 25 and 26 of the transcript) to furnish certain additional information relating to two questions raised by Senator Anderson.

The first question concerns the reason for the difference in the percentages contained in the bill for planning and acquisition, compared with the percentages recommended by the Outdoor Recreation Resources Review Commission.

The Commission recommended that Federal grants for planning be authorized for a 5-year period, with Federal participation up to 75 percent of the cost for the first year, 50 percent for the second year, and 35 percent for the succeeding 3 years of the 5-year period. The Commission recommended also for acquisition and development, that Federal cost sharing go as high as 40 percent, except that for interstate plans the Federal share be authorized up to 50 percent. S. 859 authorizes 30-percent grants for acquisition and development, and 50-percent grants for planning.

As suggested by Senator Anderson, the bill reflects the advice we received from the Bureau of the Budget concerning the 30-percent recommendation for acquisition and development grants. That Bureau has pointed out that such percentage is in harmony with the maximum percentage now allowed for "open space" acquisition grants by the Housing and Home Finance Agency.

Concerning the difference in percentages for planning grants, the bill authorizes a 50-percent grant for this purpose. The Commission recommended a sliding scale that would average over the 5 years less than 50 percent. Since we have referred to HHFA authority, it should be noted that their planning grants may be as much as two-thirds. Nevertheless, we feel that we probably can operate satisfactorily on a 50-percent planning grant basis. If, however, a comprehensive outdoor recreation plan should be developed by a State with HHFA grants, and if such plan measures up to the standards required to carry out the purposes of S. 859, we would be glad to accept such plans.

Senator Anderson's second question relates to the 10-percent limitation on development grants to the States. This limitation was recommended by the Bureau of the Budget. The initial purpose back of such limitation was to place a priority on land acquisition in order to insure the acquisition of desirable land before its preemption for other uses and before rising costs made such properties unobtainable. Once desirable land has been acquired, development may follow at a later date. We do not in any way wish to minimize the importance of development.

Please advise if we may be of further assistance to your committee.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

Secretary UDALL. Now, then, also in its report to the President and the Congress, the Commission placed a great emphasis upon the need for more effective management of recreational resources and pointed out that recreational opportunities can be substantially increased by development of areas already in public ownership.

Since in many States the need for development is not as urgent as for acquisition, why does the bill provide grants for development may not exceed 10 percent of the total amounts available to the State? A great deal of this work is in areas that the Federal Government already owns.

Someone the other day remarked on the amount of territory that the Federal Government owns in the State of Nevada. And I do not need to remind you that in the State of Arizona the Federal Government owns a substantial amount.

Senator Mechem and I know in the State of New Mexico, it owns 60 percent or so.

Now, since these great areas are already in public ownership, would you give us now, or later on, a statement as to why you have limited this to 10 percent of the total amount available to the State?

Secretary UDALL. Let me make a brief statement on that. I think Dr. Crafts can provide further illumination on this for the committee.

There is no question that in some of the Western States that have large public land areas that one of their major needs is money really more for development purposes than for acquisition purposes. But I think you would find even in many of these areas, the most crucial decisions, where you are losing an opportunity you would otherwise have, and especially in areas around the fringes of the large cities—Los Angeles, Denver, Phoenix, and Albuquerque and places of that kind—the need is acquisition to take advantage of the last chance opportunities to acquire areas in those States. I think we are going to find that some of the cities and counties really are much more anxious to get into a matching program than the States are.

But some of the States also have serious limitations on what they can do.

My own State, the State of Arizona, today, you cannot own a State park larger than 160 acres, by law. Of course this is a ridiculous limitation in my opinion, as I have indicated to some of our State people.

But I do think that again here, rather than writing anything too rigid, if the committee would have enough confidence in the Department administering this, there should be some flexibility. I think this is absolutely necessary, because you have situations running all the way from Alaska and Nevada, where 80 and 90 percent of land is in Federal ownership, to States where there is no Federal ownership. To administer a program of that kind, I think it would be most difficult for Congress to say—to try to break States down into categories.

I am sure that we are cognizant of the needs of these States, and we could administer it if we are given some flexibility.

Senator ANDERSON. But the bill does not give you any flexibility on this 10 percent. That is the very point I am making to you. There is a vast difference between New York State and a Western State, where a large part of the area is already in public ownership. In those areas you do not need too much for acquisition; you need more for development.

Secretary UDALL. I am sure the committee will want to give this some thought.

Senator ANDERSON. Section 5(g) of the bill authorizes the President to transfer to the Housing and Home Finance Administrator—such functions relating to planning assistance of the Secretary under this section as the President may deem desirable, together with any funds available therefor.

In view of the close relationship of planning to acquisition and development, could you conduct an effective overall program of assistance to the States if the functions of the area planning assistance were referred to the Housing and Home Finance Agency?

Secretary UDALL. Well, Senator, this is a problem which has been bothersome. There was some argument among the different Federal agencies on this.

There is the argument, on the one hand, that the States are already doing planning of this kind, and that there only ought to be one planning effort made, and that it all ought to be coordinated together. On the other hand, there is a feeling, that you had expressed, that maybe as far as the program of this kind is concerned, that it is much better to have one agency handling it, administering it, and doing the entire work.

There is room for disagreement on this point and, in fact, there was disagreement in the administration, in the past, on it.

Senator ANDERSON. I was only trying to suggest, if you come into one of these Western States—Idaho, Wyoming, New Mexico, or Arizona—the Housing and Home Finance Agency is probably not as well equipped to talk about this planning as some of these Federal agencies which are already dealing with 60, 70, 80 percent of the area of the State at times. There needs to be a little flexibility there again with reference to whether the Housing and Home Finance Agency is the best group to handle the planning.

Senator Church?

Secretary UDALL. Senator, may I intrude? I think Secretary Freeman and I—I am always hesitant to try to tell any chairman how the hearing should be run—but Secretary Freeman and I had in mind maybe we would present our statements together, since there is such an overlap. I think his statement would be brief. And then we would submit the questions together.

Senator ANDERSON. The difficulty is, the chairman does not think he has any special privileges over the other members of the committee. And since I have asked so many questions, I think they ought to be allowed to, if they desire.

Senator CHURCH. Mr. Chairman, I would be glad to defer, if they would prefer to make the presentations together.

Secretary UDALL. I deliberately did not present the part of the picture that concerns Secretary Freeman.

Senator JORDAN. I yield to their plan.

Senator ANDERSON. Is that agreeable?

Senator GRUENING. I have a lot of questions, but I would also be glad to yield.

Senator ANDERSON. I apologize to the other members of the committee.

Secretary Freeman, we are happy to welcome you here. You do not come here as often as we would like to see you.

STATEMENT OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE

Secretary FREEMAN. Thank you very much, Mr. Chairman, members of the committee.

I have a very brief statement, Mr. Chairman, that I would file for the record, if I may, and then just emphasize a few points. I am sure that the members of this committee do not want to listen to any extensive remarks. You want to ask some very specific questions, which I will be happy to try to respond to, to the best of my ability.

(The statement referred to follows:)

PREPARED STATEMENT OF ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE

Mr. Chairman and members of the committee, I am pleased to appear before your committee to testify in support of S. 859.

I believe that this legislation is essential to assure prompt action in expanding our existing recreational resources for our present and future needs. The magnitude of these needs and their spectacular growth in recent years is a matter of record.

Our rapidly increasing population; our higher standard of living; our possession of more leisure time; our increased desire to get out-of-doors; and our faster and more dependable means of transportation, all contribute toward this accelerating need for more outdoor recreation opportunities. We must meet these expanding needs by an aggressive program of outdoor recreation development at all levels of Government.

The provision of outdoor recreation is a national concern. The interest of the Federal Government can no longer be limited to preserving sites of national significance and exercising stewardship over its own lands. It must extend itself into programs of acquiring additional recreation-potential lands for Federal development and administration. It must establish programs designed to increase the ability of State and local governments to provide public outdoor recreation opportunities. It must stimulate diversified commercial recreation investments and promote greater public recreation use on private lands and waters.

The Congress has already taken significant action to spark the private endeavor—to stimulate the conversion of privately owned farm, ranch, and woodlands into profitmaking outdoor recreation enterprises. The Food and Agriculture Act of 1962 opened up extensive new recreational possibilities on private lands throughout rural America. The combination of cooperation with local units of Government and with private landowners to develop new recreation facilities set down in that act has many possibilities on private lands throughout rural America. This bill would provide a real thrust toward accomplishing the other two principal programs—acquiring additional recreation-potential lands for Federal development and administration, and assisting the States in their outdoor recreation programs.

Enactment of this legislation will help the States to assume a more definite role in the total outdoor recreation picture. This is as it should be. State governments are more advantageously situated than the Federal Government to deal with many current recreation problems. States have direct experience in shaping programs to meet varying conditions and particular needs of their citizens. The grant program which this legislation would provide will encourage State and also local action in expansion of outdoor recreation programs. In the fields of fish and wildlife management, forest fire control, timber management, water pollution control, hospital construction, and other projects, Federal-aid programs have already proved successful stimulants to State and local action. I am confident that the financial assistance to the States under this legislation would have a similar effect.

The fund which would be established by this bill would also be available to finance Federal acquisition of land and waters including areas within the national forest system under the jurisdiction of this Department.

Outdoor recreation is one of the principal values of lands in the national forest system. It is one of the purposes for which these lands are administered. The 186 million acres in the national forest system comprise one of the largest groups of lands available to the public for outdoor recreation, including hunting and fishing. In 1962, there were approximately 113 million recreation visits to these lands in the national forest system—four times the number of such visits in 1950. By the year 2000, it is estimated that the number will exceed 600 million.

Development of the recreation resources in the national forest system is going forward. It is not keeping pace with the need, however. One of the impediments to greater progress is the irregular pattern of land ownership. In some units, particularly in the West, national forest ownership is well blocked together. In the East, on the other hand, there is a scattered pattern of ownership. Where private and Government lands are intermingled, we not only have occasional problems of conflicting use and administration difficulties but often we are not able to fully develop the logical recreation potential of the area in an orderly manner. Acquisition of key tracts is needed to provide access to lakes, streams, and reservoirs; to provide sites for improved recreation areas or the protection zones around them; and to consolidate national forest ownership in important scenic, hunting, and fishing areas. The availability of the land and water conservation fund to block in Federal ownership will go a long way to make it possible for the national forest system to contribute its proper share to the well-being of this Nation.

The land and water conservation fund would include the proceeds from fees to be established for entrance, admission, and other recreation uses on certain designated Federal lands, including those administered by the Forest Service. Inauguration of a system of user fees that provides a uniformity of charges for comparable facilities and services, both State and Federal, is desirable. But there will be a need to delegate to the departments and agencies the maximum possible latitude for determining methods to be used to permit their adaptation to varying situations. For example, the complicated pattern of land ownership and transportation networks in the national forest system make it impracticable to establish a system of checking fee requirements at the innumerable points of entry to these lands. On the other hand, in areas where there is controlled access, such as in many of the national parks, checking stations at entry points might be a very practical method.

In the past, the campgrounds and picnic areas in the national forests and national grasslands have been open to the free use of the public. Most of these developments have represented the minimum needs for sanitation and for protection of the sites. Large sums of Federal money are now being spent in the

development and maintenance of first-class facilities. This is necessary to meet public demand in many circumstances. It is fair and equitable that the users of such facilities pay their share. We believe that the majority of users will agree. Charges are now being made at a limited number of our more highly developed areas. These are being used without complaint.

In conclusion, Mr. Chairman, many of our opportunities will be lost if we do not act promptly. The need for outdoor recreation is so great that we cannot postpone positive, aggressive action. This legislation is significant to the future of America. I hope that it will be enacted without delay.

Secretary FREEMAN. First of all, I would just want to emphasize again the tremendous need for developing adequate recreational opportunities. I have experienced some of the pressures as a result of this explosion of demand, both as a Governor, in a State which is very substantial in its tourist activity—again and again and again we simply did not have the place to put people when they came streaming in and looked for a place to camp or picnic. And this demand is going to skyrocket. I think it is one that we must not ignore.

This is true not only in terms of physical resources, but in terms of the need of people of this country for adequate outdoor recreation opportunities.

In the national forests, I might just mention that we have had an increase, since 1950, of 400 percent recreation use, and 113 million recreation visits last year—113 million. And we project 600 million recreation visits to the national forests by the year 2000.

The committee is familiar with this. But I think the scope and magnitude of it is one that needs to be mentioned again.

The corollary to this, then, is that a coordinated approach that mobilizes all possible resources in government, National, State and local, and development of private and commercial recreation facilities as well, is called for.

It is my personal judgment that we will never meet this need in public facilities alone. One of the reasons why there is very extensive legislation passed by the Congress last year, in the Food and Agricultural Act of 1962, which directs itself to the twin horns of a dilemma in a sense—one horn being capacity and ability to produce an overabundance of food and fibers; the other being a shortage of outdoor recreation opportunities, both in terms of meeting our need and in terms of basic economic principles. It follows that land is being used for other than the most useful purpose.

This is not directly involved in this legislation, but I wanted to bring it to your attention, because there has been some confusion.

By virtue of the Food and Agricultural Act today, an individual farmer who may wish to enter into some recreation activities for a return, for a charge, can be assisted in doing so by virtue of loan and technical advice and assistance. Also he may join with other farmers in an area and develop an overall program that might run from a handful to as many as a soil conservation district or whatever it might be, and develop a total approach which would apply multiple use to private land just as clearly as we apply it today to the Nation's forests.

It is very likely, and we have such pilot projects in mind, that associations of farmers could join with associations of city people, conservation clubs, boys clubs, labor unions, business groups, church groups, or a geographical subdivision, and jointly develop a program to work up a recreation area, for raising the capital, and in return a new source of income of the farmer is involved.

Finally, the expansion of the use of the watersheds. Public Law 566—not only are they related to conservation per se, and water runoff and game and fish, but now recreation, the availability of water for industrial purposes, the availability of water for future municipal purposes. And we today are assisting and expanding this function and making it truly multiple.

This is pioneering. We are feeling our way along. But this involves one part of the coordinated approach that is essential to meet the needs in recreation.

I would submit to you, both from my studies in connection with this and my own personal experience, that it is both practical and rational and reasonable and acceptable that fees should be charged in connection with the use of outdoor recreation facilities by various units of government.

I had some reservations about this as a Governor when it first went into effect. Actually it went into effect before I was Governor. But it was increased modestly.

As I was sitting here, I could not recall receiving a single letter of complaint when the user fee, the sticker, in the State of Minnesota—when a charge was modestly increased while I was Governor. I think we did a pretty good job in developing our parks in my State. And I can say to you, from a very practical standpoint of getting the money to do a job that needed to be done, it would not have been forthcoming given the budget squeeze if we had not followed this system, which I think is sound.

Finally, in connection with what it will be used for, we in the Forestry Service particularly, and I am sure this would cover Secretary Udall in Interior, feel a great need for consolidating in-holdings. If you wish, I could show you some maps showing the scattering of holdings within national forests for grassland areas. It is not true now so much in the West, but more true in the Midwest, and in the State of Minnesota, for example, it is like a checkerboard—access to some of the outstanding lakes is pretty well foreclosed. We are now making a study in this Lake State area, as to what ought to be some of the targets and goals. It is important that some of the in-holdings be consolidated—not all of them, but those that relate particularly to the development of recreation facilities.

So for these reasons, Mr. Chairman, in addition to those so effectively outlined by my colleague, I am here to strongly urge that this committee, in its wisdom, act as promptly and, I hope, as favorably on this piece of legislation as possible.

Thank you.

Senator ANDERSON. Thank you.

Now, questions can be addressed to either one.

Senator CHURCH. Thank you, Mr. Chairman.

I certainly have no argument at all with either of you gentlemen with respect to the growing demand upon the recreational facilities of the country and the need to expand the recreational program.

I also have no argument with respect to the desirability of the Federal Government assisting the States on a grants-in-aid basis.

I am skeptical of the proposed user fee. I would like to know a little more about it.

First of all, Secretary Udall, would you propose to charge a user fee for the public use of Rock Creek Park?

Secretary UDALL. No, Senator, I do not envision that there would be a charge for things of that kind. Our studies have gone only so far, however, and the Departments of Agriculture and Interior have had a committee working on this. They have made some tentative findings that have not reached our attention yet, as far as making any major decisions are concerned; nor do we think we should make them until the Congress has told us to go ahead, although we do have authority.

Senator CHURCH. I am a little dubious as to this approach—for the Congress to say go ahead, without knowing in advance what kind of fees are going to be charged or where they are going to be charged.

Now, you say you would not contemplate charging a fee for Rock Creek Park. This is a recreational facility of great importance to a lot of people. I do not know many cities charge fees for the use of public parks for recreational purpose. It has been almost a tradition in our life that these parks are developed out of general revenues by the taxpayers and the people enjoy the facilities free of charge.

But if we are going to depart from that principle, and adopt a user-fee principle, then where do we draw the line? Do we charge for the public use of the national forest lands in Idaho but refrain from charging for the public use of recreational facilities in Washington, D.C.?

Secretary UDALL. Well, Senator, here is the problem: It is a very tough problem; it is a very complex one. We have tried to seek a simple answer to your question.

If you were to ask us today, I think, to recommend what type of user-fee system we would put into effect, I think it would have these general features and embody these general ideas:

In the first place, there would be a specific user fee charged where you actually have somebody pay for a service or for a particular use, only in those instances where there are facilities that have been built and that are actually provided in the forests or in the parks.

Now, there are certain areas in our national parks, for example, that are developed, that have water, electricity, toilet facilities, and other facilities. A lot of money has been spent to develop these areas. We think an overnight charge, or a charge on a weekly basis that is reasonable should not be objected to—a man can pull in with a trailer today in Yellowstone Park where he has the finest scenery in the United States. He can stay there for 2 weeks—and he receives services that cost the Federal Government money. We think that a fee system can be developed that will be reasonable, modest, and should not be objectionable as far as these people are concerned.

Beyond that, what we hope to do, in order to get away from having our park and forest rangers to become ticket takers, is to provide some one single method of collection, and the idea of a car sticker, which Minnesota and other States have used, strikes us as being the best and most logical way to do it.

The sticker then becomes an admission fee to any Federal outdoor recreation area. We think if this is modest enough, and we can suggest that it is a patriotic thing to get a conservation sticker on your car. We hope some of the national advertising groups and the petro-

leum industry, perhaps, will get behind this. We can make it something that will be simple and easy, so that we are not in an obtrusive way chasing people around and trying to badger them into paying a fee for walking in a park or doing anything like that.

Senator CHURCH. I would like to know something more with respect to the specifics, because though you can speak in general terms of a user fee, and make it sound attractive, when it comes to the specifics, there is going to be great difficulty.

As a matter of fact, out in my State, and in the West, where for generations people have had access to the national forest lands without charge and are accustomed to paying for the development through the general tax process, if you begin to stop the cars and collect fees, whether it takes the form of a sticker or whether it takes the form of an admission ticket, you are going to have as big an uproar as we had a century ago when we first put barbed wire on the prairies.

I think we need to know much more about the specifics.

Now, it is true that with respect to national parks we have had admission fees. But national parks are well defined, special areas of scenic attraction. The public has accepted the admission fee as proper and as right.

But you are going to then charge additional amounts for the use of special facilities within the park—or are you going to add to the admission charge so as to take this into account? Are you going to set up special stations, entry stations, on all the roads that lead into the national forests to stop the cars and collect these fees?

The specifics make a great deal of difference—if you ask the Congress to approve of this in principle and leave it up to the various departments to decide how they are going to proceed, it seems to me to be asking for a very great deal.

Secretary UDALL. Senator, let me make one point. We have the authority now, and we always have had, both in the Forest Service and the Department of the Interior, to make whatever charges are necessary.

There is general law covering it. We are not asking Congress for anything new. But the point I would make is this: We do not want nor do we envision setting up toll stations, making forest or park rangers into ticket takers, or chasing people around. I think that some of the fears that you have expressed here are answered by what Secretary Freeman says about what happened in the State of Minnesota.

But I think the people in these Western States, where I would expect the type of concern that you have expressed here—I think once they realize that this money is going to be plowed back into the type of program we have here for projects for their own States, I think that the people would go along with the program very readily.

We pay for a highway program, we pay as much, some of us, in a week in gas tax as we would pay here for an outdoor recreation program.

Senator CHURCH. Yes. But you must take note of the fact, Mr. Secretary, that with respect to the road program the taxes, though they apply to the users, are indirect taxes. The Federal system, the Federal contributions, is not based upon a toll-road system of direct fee for the use of the road.

Now, we have lots of Federal grants-in-aid programs. We have grants-in-aid for water pollution. But we are not charging everybody a fee for every glass of clean water that is drunk. We have got Federal grants-in-aid for sewage systems, the local communities. But this is taken out of the general revenues.

The big proportion of our grants-in-aid come out of the general revenues.

You have said in your testimony that 90 percent of the American people enjoy outdoor recreation. What is wrong with financing outdoor recreation out of the general revenues?

I think it is in accordance with what has been the usual custom.

I find real difficulty in accepting this kind of a departure without having more specific indication as to the way this system is going to be implemented.

I also have difficulty in envisioning the rationale behind permitting great numbers of people to use the recreational facilities in areas like Washington, free of charge, but charging them out in the relatively less populated areas where there is a vast public domain from which the localities do not get taxes in the first place.

I am very, very fearful that this is a departure that is of such consequence that the Congress ought to look at it very carefully.

Secretary UDALL. Well, Senator, I would say this.

We do not envision any program that would have one set of standards for the East and one for the West. We do not want that. That is the very thing I have been trying to indicate to you. Our national park system, our national forest systems, are truly national.

I personally would feel very good about direct appropriations. I fought some fights, and lost some, personally in the House of Representatives in the past. This is such a great need that we ought to just finance it from general revenues. It is my opinion, as a former Member of the House, that when you come in with a parks bill, everyone says it is a good idea, but we cannot afford it.

Conservation traditionally—this goes back to the reclamation fund, it goes into our basic method today for financing fish and wildlife—has looked to a special fund. If the Congress wants to say to us “We do not want a fund of this type, let’s take it out of general appropriations,” and we could muster support and do it, that is one way to do it.

But the reason that we are here, quite frankly, using this approach, is that it has been the feeling of many of us that have been in this business for some time that the direct appropriations approach would not be successful.

I think that S. 859 does offer a vehicle, and I think if the Members of Congress will help us shape the right kind of program—I will put it that way—I think people will accept it, the people in the Western States, just as the people in Minnesota have, which is western, if I may say so.

Senator CHURCH. We are going to be taking it from the people one way or the other, either through direct user fees or through the general tax method.

Secretary UDALL. That is correct.

Senator CHURCH. And I must say nothing has been said here this morning that has been very convincing to me that it would be wise for us to depart from the traditional method for financing recrea-

tional facilities, and adopt a direct user fee method. As a matter of fact, I can see much mischief in it. I can see much reaction to it, especially in those parts of the country where the public domain constitutes so large a part of the total area of our States, and where people are accustomed to the right to go upon it free of charge, and the custom is to finance development of facilities within the areas through the general tax route.

I am willing to hear the argument and look into it, examine it carefully. If there is a part of it that I am missing, I should have my attention called to it—I would appreciate your doing so. But as of the moment I am quite unconvinced this is a wise departure.

Secretary UDALL. Well, Senator, what we really face basically is if we are all agreed that something must be done, how we finance it.

The special fund idea is one approach. Financing through the general fund of the Treasury is another. Quite frankly, it was the opinion of the administration that if the budget situation was such and the mood of Congress was such that we would just go in and ask for substantial appropriations for a State matching program and for outdoor recreation, I think this is the route that we would take.

But I would say—and I represented in the Congress a State, a district, that had as much Federal land as any—that I think the people would accept this, unless the western Members of Congress decide that they are going to fight it. I think for the people to put a car-sticker on their car and pay \$2 or \$3 a year—some of these people that use the outdoors every weekend many times a year, and their families use it—I think if they realized this was going into a program to preserve the out-of-doors for their children and their grandchildren, I think everyone would do it and do it readily. I cannot see the opposition that the Senator envisions to it. I do not see any other alternative, quite frankly.

Senator ANDERSON. Senator Gruening.

Senator GRUENING. Mr. Secretary, I favor this legislation. But I have some of the same reservations that Senator Church expressed.

Of course, there are a number of things that are very pertinent to Alaska, which has a tremendous potential for recreation. I think it is destined to be one of the great playgrounds of the Nation.

At present we have in our four national parks and monuments two-fifths of the total national park and monument area of the Nation. Our fish and wildlife refuges are almost twice the total amount of the rest of the country.

We are a little bit concerned about these admission fees.

I would like to ask Secretary Freeman whether he would propose to have admission fees to the national forests, where the national forest practically blankets all of the southeastern part of Alaska, the Panhandle. Our capital city is there, and there are five or six little enclaves surrounded by national forests. You cannot step out of them without going into the national forests. These are all recreation areas potentially. Yet it would be unthinkable for a person who lives in Juneau and who walks in 10 minutes up to the hills and back in a national forest area, that they be charged a fee.

I would like to ask Secretary Freeman how that would work out.

Secretary FREEMAN. This is something, Senator Gruening, that we are going to have to work out step by step. I do not think that we

could sit down here today and say precisely how this is going to apply certainly in the national forests that are not as clearly delineated in terms of their boundaries and the intensive development within them.

What we would propose to do, if the Congress said to try to work this out, would be to go area by area, particular areas within areas, if you will, those that have been intensively developed, to provide special kinds of services and opportunities, that have represented substantial capital investments—in this instance there would be perhaps a car sticker for people who drove into that area, and we might say for people who stopped in a particular area. In other areas there would be none. It would be a matter of starting rather modestly and slowly, feeling your way along, in effect, rocking the boat as little as possible, recognizing the long tradition and pattern of action in various places in terms certainly of those who live in the immediate vicinity, and adjusting this to the circumstances as we determine how it would work.

Senator GRUENING. Well, I feel, with Senator Church, that we would like to have this spelled out pretty specifically before we give blanket approval to action of bureaus, which in the case of Alaska, has often been extremely arbitrary, and very much objected to by the people on what seem to us to be legitimate grounds. Before we say let's leave this to the determination of the bureaus, speaking for myself, I would like to have something a little bit more definite.

Now, in section—

Secretary FREEMAN. May I respond just to that, Senator. Certainly it is a very understandable request. But I would submit that I doubt in the abstract whether it would be possible to conceive of all the contingencies and all the variation on 186 million acres of forest land, that we are going to find the answers to this as we attempt to do it. And whatever limitations and guidelines of either time or area that the Congress in its wisdom might determine, we would, of course, work within. But it is not subject, I think, to finite and detailed determination now, because we just have not had the experience.

Senator GRUENING. I was very much interested in noting, Secretary Udall, that you thought the 10-percent provision to be used for development in section 2(e) of five was a little restrictive. Senator Anderson commented on that.

No, Alaska, in the 4 years, 2 months and 4 days that we have been a State, has established 63 State roadside parks, which I think is pretty good. We have no problem in the acquisition of land. Our problem would be development. We would like to see this paragraph made far more flexible. It seems to me that the States should have a right to determine how much of the use is for land acquisition, and how much to be used for development.

In some States land acquisition is far more important. I do not know why the States should be limited to a specific percentage. If the State is to use its money, it ought to have the right to use it for development or land acquisition.

Secretary UDALL. Well, as I have indicated earlier, I know that some of the States, and yours is probably the best example of the 50 States—your State has primarily a development problem. We are aware of this.

I would say that perhaps the limitations in the bill—that the committee might want to consider limiting it. But I wish that rather than

fixing it rigidly, or rather than saying that the State—let the State do what it wants to do—once we do this, we are getting away from the basic concept of planning the best use of resources and the best use of this money.

I think if you would give us discretion in this matter to work with the States, we are going to have a whole new area in the conservation field of Federal-State relationships, with the Bureau of Outdoor Recreation, dealing with the States, looking at their comprehensive state-wide plans, their projects, looking at their priorities—and what we are going to have to do at the outset really is to decide where the money should go, where it can best be spent, and turn it in that direction.

So that I think we need flexibility, and I think that the committee, of course, feels that some of the limits are too restrictive, they should be raised. But I am very much aware of the fact—I have been in your State—that Alaska has probably a problem that is 90 or 95 percent development.

Senator GRUENING. I have another reservation about the three-fifths formula based on population.

Now, as the great recreational areas are in the West, where there is lots of space, parks and national forests—yet their population is very small. Those are the areas to which the American people will depend, as far as they are able to afford it, for their recreation. I believe that the Recreation Commission recommended an equal division between area and population, did it not?

Senator ANDERSON. I do not remember the exact definition put in. But I do know we recognized that the areas in the West already have pretty good recreational opportunities. There is no great problem in my State to find a forest area in which I can camp if I wish. But it takes real money to provide a recreation area in a State like New York or Delaware.

Senator GRUENING. Well, of course, the recreational areas are there in the West. But if they are to be developed for a great influx of people, they will need development, they will need money spent on them. And I would like to see this formula changed so that the proportion of funds would be based one-half on area and one-half on population.

Secretary UDALL. Well, Senator, this is one of the features I did not explain to the members in my initial presentation.

There is provided in the bill the formula for the funds to the States, which would be one-fifth equally to all States; three-fifths on the basis of population; and one-fifth on the basis of need, which would give some flexibility.

The feeling that we have, after looking the country over, is that in terms of acquisition—bear in mind that except to the extent that development is emphasized, in such States as yours, this is primarily an acquisition program. You can almost say as a matter of mathematics, just lay a ruler down, that the populous States, the States where population is very heavy, this is where the cost will be extremely high. This is the reason that we think this three-fifths on the basis of population really will get the money where it is most needed.

I know most of the Western States, except States like California and a few of the others, where you have huge population centers—

that they already have State lands, they can acquire lands cheaply for park purposes, even Federal lands. We have a very good program in that regard. As far as money for acquisition, it is these heavily populated States, the Eastern States, that are going to need a disproportionate amount of money for acquisition. Therefore, we think the formula is very sound in meeting the need that exists.

I would like to make a plea to the generosity of those of you on the committee who are westerners to take this view of it, because I think this really is where the acquisition costs are extremely high.

The Cape Cod National Park, for example, which is of course a Federal project, is going to cost us \$20 million or more. And the Oregon Dunes, as an example, over on the other coast is in Federal ownership, and that won't cost us anything, or a very minimal sum, we hope, if we can get it authorized.

Senator GRUENING. Thank you.

Senator ANDERSON. Senator Jordan?

Senator JORDAN. Mr. Chairman, before I start my interrogation, I have been asked to insert in the record a communication from the State Conservation Commission of Des Moines, Iowa, to our colleague, Senator Jack Miller. This communication, Mr. Chairman, is generally in support of Senate bill 859, with reservations. I should like to have that in the record.

Senator ANDERSON. Without objection, it will be put in the record with other State communications.

(The letter referred to appears on page 208.)

Senator JORDAN. I might add further, Mr. Chairman, the reservations that Iowa asks here are that the matching requirements of 50-50 be changed to 75 percent Federal and 25 percent State; and also that the amounts for development which is now limited to 10 percent be increased to 50 percent.

Senator ANDERSON. We have others along that same line. The committee will spend some time on it just as soon as it meets on the bill.

Senator JORDAN. Very well.

Now, then, I think the insertion I have just made here for my colleague from Iowa points up a very basic problem we face here in drafting legislation that will do a job for Iowa, a State that has, say, very little if any public lands, Federal lands, a State like our own Western States, where the area of public ownership runs from 50 to 90 percent.

I recognize the difficulties that you face.

I would like to associate myself with my colleagues, Senator Church and Senator Gruening, with respect to these user fees. I register my opposition to the composition of user fees in the national forests, or in the Bureau of Lands, under the Bureau of Land Management.

I know from the tone of the letters I am receiving from Idaho our people would rise up in arms if they thought that they would be charged to go onto these public lands to which they have had free access back through the years.

My second point has already been brought up by my colleagues.

I think that the 10 percent allowed for development is altogether too meager. There is no question in my State—the land is there, in public ownership. The proposition we face is in developing that

land for recreation purposes. Acquisition is a minor problem, I would say, with us. And yet I can appreciate the point of view of my distinguished colleague from Iowa to whom acquisition would be most important.

But out our way, acquisition is not so important.

Would you address yourself to that, Mr. Secretary?

Secretary UDALL. Well, Senator, I have tried to cover that point. Knowing the composition of this committee, I knew this would be a primary concern of the committee. I know the committee will want to give this matter its own judicious attention.

The development problem is a major problem. It might be easier for some State legislatures to get up development matching funds than it would be for acquisition matching funds, where they do not have acquisition need.

I would want to make a special appeal to the Senator, and to the members of the committee, with regard to this user fee problem, because I think we can come up with a set of fees that will be sufficiently modest and reasonable that we can get the people to go along.

You know, we also had a great tradition in this country with regard to hunting—a person could hunt free. I was reading a while back on this—when it was first proposed there would be licensing of hunters, this was considered un-American almost, and an outrageous thing. After a while the dust settled and it is now part of our regular program, just as buying a duck stamp sounded like an outrageous thing.

Of course, the duck stamp money is plowed back into providing a habitat for ducks, and this makes it acceptable to the hunters.

I think by the same token, that we can make this program acceptable to people if they have to pay part of the price of a tank of gas a year, let's say, to put a sticker on their car to help the conservation cause along.

I know there are some difficulties. I know it is new, it will be new, and it will go down hard, maybe, with some people. But I think our experience in the past may make it possible for us to do it and do it more easily than we think.

Senator JORDAN. Your emphasis in this bill, though, is on acquisition rather than development?

Secretary UDALL. Generally. Of course, we are aware of the fact that the real problem we are confronted with in drafting a bill, and the committee will be confronted with in marking the bill up, is that we have a nation—we have to write a piece of national legislation. And yet the needs are so different. Yet we cannot write one bill for the West and one for the East. We have got to put some flexible provisions in that do take account of these actual conditions that exist and enable us to get the money where it will do the most good, and where we can get the most cooperation.

Senator JORDAN. Thank you.

Senator MOSS. Mr. Chairman, let me say I fully recognize the difficulties we will face if we try to expand greatly our recreation program with simply appropriations from the general fund, and therefore I am sympathetic with finding some revenue device to tie in with this expansion of the recreation program. I think that is the sensible thing to do.

But like some of my other colleagues on the committee, I have some questions and problems.

I return to what Senator Gruening said about the formula for the distribution of funds, where three-fifths shall be appropriated in accordance with ratio of the population of the State to the total population of the United States.

Now, our heavily populated States generally are the States with the greatest amount of economic resources, the greatest wealth. Consequently, they would be the recipient of what seems a rather disproportionate part of the fund.

I would like to point out that the State of California, when it started its very extensive State park program, which we all admire so much, started out on the basis that the counties had to match State funds when they created a State park. They found that what they were doing was eliminating parks in the sparsely settled rural counties and all their activity was coming in the populous counties, and they finally abandoned the requirement that there be county matching.

Now, I realize the analogy is not exact. But I wonder about that—if this would not apply somewhat when we are talking about distribution to States, sparsely populated, and with very limited economic resources—wouldn't we almost preclude them from doing what we want done in this recreation field?

Secretary UDALL. Well, Senator, it does seem to me that as far as the States are concerned, if we want to get maximum State participation—I think that should be our objective—we want to be in a position to induce the State legislatures to get into the field.

Now, I think this is a very important provision in the bill—knowing some of the Western States as I do—we are going to find some cities and counties, if the State does not move in and want to match, that the cities and counties will put up the money. And I think this is a good provision and might be very useful.

As far as the States are concerned, providing we make or have sufficient flexibility, we can take into account the need of those who want to go primarily into development. I think that we will find, if we keep the counties and cities in the picture, that we can get full matching, that we can get full use of the program in each of the States.

I would feel very bad about it if we enacted this program and some of the Western States had the same experience that Nevada apparently did with the Pittman-Robertson Act, and the State never got into the program.

This may be part of the problem. I know some of the members of the committee are much closer to this than I am.

I wanted to point out one thing.

Senator Gruening brought this up a moment ago, and I think this should go into the record.

The ORRRC report with regard to the allocation of funds was 50-50, 50 on the basis of the population—half on the basis of population and half on the basis of area. But there was a hooker in the recommendation—and I want to read it.

Federal lands, other than restricted military areas, would be excluded from State computation.

In other words, I do not think the Senator from Alaska would want the ORRRC recommendation. And I think you can see the rationale behind the ORRRC recommendation. This is the reason—because we felt that this was not as good a basis to compute it—that we recommended one-fifth on the basis of population—I mean three-fifths on the basis of population and one-fifth equally to each State.

But again, this is a matter on which the committee has the final say. They can take the ORRRC recommendation, they can take our recommendation, or they can devise something that seems to make sense.

Senator Moss. Well, I appreciate the response. I recognize this poses a real problem, and one that we are going to have to deal with here as we mark up the bill.

There is one other question that I had that probably should go to Secretary Freeman. This is to ask him just how this conservation charge was administered in Minnesota, because this might be a little pilot, a small pilot program.

For instance, I would assume that it wouldn't ever be contemplated that we would demand a sticker on a car that simply traveled through the forest, going from one place to another, although we do do that in a national park.

Incidentally, my State of Utah, the only good road, the only surfaced road on which you can get from St. George, Utah to Kanab, Utah, or to Orderville, goes through Zion National Park. And by golly, you have to pay a fee if you are just going to drive from one town to another, even though you don't even look at the park or have anything to do with it. And this has been a sore point for a long time. I would hate to see us get in that position on traversing the national forests, when we wanted to go from one town to another in the State.

So at what point do you require the sticker?

Does the person have to stop in the forest and camp, or does he have to use a park table? Or just when do you collect the fee?

Secretary FREEMAN. Well, as a practical matter, there really hasn't been any hard, sharp, defined lines. And it worked out rather well with people cooperating.

Generally speaking, there was no one out running down everybody that walked across the corner of a park—certainly no one that drove through on a highway.

But if you stopped your car and parked it in a parking lot that was a part of the park complex, and left, you would be expected to have gotten a sticker. As a practical matter, you could go in and leave it there, and probably go in that park, and come back and get in and drive away, and no one would say anything to you. But you look around and you see every car around there has a sticker on it, and you would wonder when you came back if the fellow came up and said, "Are you going to buy a sticker?", which was I think \$2 then, and as a practical matter, people just complied, and used a little good judgment about it. And there was never any idea that you are going to be kind of running a cops-and-robbers game here to be sure that no one looks at a tree until he pays for it.

If you carry it to that extent, you are going to have serious difficulties, and particularly in the West.

On the other hand, if in areas where there was a development, where, for example, a trail had been developed, where there was an opportunity for a family to picnic, where someone could go and do some bird watching and the rest of it, and it was an area where obviously there had been considerable attention, and you parked your car at a given place, people just bought stickers. And if they didn't, no one tried to put them in jail. But after a while, people kind of concurred that this was a pretty sensible thing to do, and they complied with it.

I would envisage buying it on that basis in the national forests. We would indicate areas initially, and probably a very limited number, where there was considerable development. We would expect people that used them to have, let us say, a car sticker.

If you had a picnic ground, you might have, well, have a particular charge for something there—if a table was used. Now we do in most—about 50 cents a family.

If you camp on a campsite where you have got a hard surface, if you have got a fireplace, where you have got wood available, where you have got water and toilets and the rest of it, usually we charge \$1.50. Generally speaking, it has worked very well to have people put their money in a slot, and not have to go around and try to collect it.

It isn't like going to a movie where they stand up and take your ticket before they let you go in and see the screen.

On that basis, the thing has worked very well—on a kind of soft-sell "this is your responsibility" basis. I think it would work well. I think if we try to administer it in terms of black and white, harsh and tough, we would probably have like the Boston Tea Party, like Senator Church suggests.

I might say, Senator, that we are not unused to having open spaces and lands and forests and lakes. We will match you lake for lake, even if we cannot match you mountain for mountain.

Senator CHURCH. How much of your State, Mr. Secretary, is owned by the Federal Government? What percentage of your land is owned by the Federal Government, to get some relative comparison between our situation and yours?

Secretary FREEMAN. I am not sure that is necessarily pertinent to the point. Obviously, it wouldn't begin to compare with yours.

Senator CHURCH. It seems to me it is.

Secretary FREEMAN. I would say there is 10 million acres, probably. No, there would be no comparison. But I am not talking about a Federal program. I am talking about a State program.

Senator CHURCH. Yes. And if you were here talking about a State program, I wouldn't raise these objections. But you are here talking about a Federal program. And in my State, 63 percent of the land is owned by the Federal Government. It makes a difference.

Secretary FREEMAN. Well, it comes right down to if the same developments—I think one of the reasons the people in Minnesota accepted this is because they could see some of the products of it and the results of it in terms of improvement.

Again, I would agree with you, this ought not to be a harsh "cops and robbers" business. But I think you would get on this basis a response.

After all, people that are going to use these facilities, and this includes private lands, too, that are going to spend very extensive sums of money, and go again and again over a year, to make a modest contribution to developing them, because they use them rather intensively, and some other Americans may not use them as intensively, is a very reasonable thing to do. And most American people, I think, are rational and reasonable, and if you don't push them around, they will cooperate with ratiion and reason.

Senator MOSS. That is the reason I wanted to know what sort of a usage would call for the sticker.

I understand your rather soft and benevolent enforcement which I think was a very wise thing to do. But did you have sanctions available? Could a person, for instance, be arrested or ticketed or something if he was in the State park without a sticker?

Secretary FREEMAN. I recall no evidence of ever having tried to do this. But if someone came up and said, "Do you have your sticker?" and you had a car there with a bunch of others around it, particularly if there are people around, and you kind of stand out like you don't have any clothes on, you suddenly join up. And I know of no one who ever actually was prosecuted, certainly not for \$2. People just did.

Senator MOSS. Do you have any figure of what percentage of your registered cars got these stickers?

Secretary FREEMAN. I did know that at one time, Senator. I don't now.

Right now—and I would want to clarify these figures for the record—but it is my best recollections that we have something like 7,000 different developments or establishments within the national forests—very, very few that there are charges on, but some. And recently in certain areas in California—only about 200—we had a "pay as you go," or "drop some money in the box" operation. And the return on this ran up toward \$200,000—very significant, and relatively painless at that stage of the game.

Secretary UDALL. If I could—I want to calm the fears of some members of the committee. The last thing in the world that we want to get into, or intend to do—we are making an assurance to the committee on this—is to run a police type of operation. We think this thing can be done very easily by this type of public moral persuasion. I think we are aware of the temper of the people who have used these lands. And I think that we can devise a satisfactory system. This is what we would like to try to do. Maybe we ought to come in with alternatives, and come back to the committee and let you take a look at what we propose.

Senator CHURCH. I think we ought to have a peek, Mr. Secretary.

Secretary UDALL. Well, one of the problems, Senator, that has been kicking around in the administrative departments here for years is the Bureau of the Budget has been saying to the Forest Service and to the Interior Department that we ought to charge fees. And Congress gave us general authority a long time ago. We have it. It has been there. We have been charging fees in the national parks going back 20 years now. But the question is, is it fair to charge one kind of user and not another kind of user, where they are really getting the same kind of outdoor treatment?

Senator Moss. I think there is a modest fee now charged in the forests if you reserve a table or a campsite of some sort. As I remember—

Secretary FREEMAN. In most areas, there is.

Senator Moss. That has been quite some time—\$1, 50 cents, or something very modest. And I think to that extent, we have broken in on it. But what is giving me the concern is how much are we broadening this.

If a person is going to go in and use some facilities in there, I think our people are very well accustomed now to paying some kind of a reservation fee. But if we broaden it very far to where they simply go in the forest and go for a hike and come back to their car, and they have not stopped to picnic or anything else, and drive off, have we got any reason to snag them and say, "You haven't got a sticker and you shouldn't have walked in this forest?"

Secretary UDALL. Senator, I think the answer to this is recreation users. If there is a man driving through, or engaged in mining, or doing something else—this is not a recreation user by definition. And we think that a system can be devised that would be acceptable and would be reasonable, and would also help us to get some money to plow back into programs, for the very people that are using these areas.

Senator Moss. Thank you.

Senator CHURCH. Senator Simpson.

Senator SIMPSON. Mr. Chairman—I may have "missed the boat" on this initial delineation. But would the Secretary tell me, what is the source of the money for Federal funds used for matching State funds for land acquisition?

Secretary UDALL. This would be a portion of 60-40, or 50 percent, either way, of the total money that went into the fund would be available to the States.

Senator SIMPSON. I think the colloquy pointed up here between the Senators and the Secretaries does reveal some areas of impracticability.

I am interested in the report. I noticed in the ORRRC report—let me read it, page 95.

The States should play the pivotal role in providing outdoor recreation opportunities for their citizens. They are the most logical unities to provide the flexible approach required to see varying needs. States can assess their own needs and take actions accordingly.

Then in reading the bill, I notice that the bill itself presents and gives all of the flexible features, and the testimony here seems to disclose that, to the Federal Government, with little flexibility or almost no flexibility to the interests of the individual States. And I think that is the thing that worries the Senators here, and does worry me.

What is the reason for disregard of the recommendation of the committee?

Secretary UDALL. Well, Senator, the States—let me make this point very clear—the States do their own planning. They will make their plans, they will fix their priorities. This is where they are going to determine what is most important.

Naturally, if a State thinks that a particular project is of the most urgency, and they identify it, we are not going to argue with them on points of that kind.

The reason that we think this flexibility is needed is partly because we have to adjust Federal needs against State needs. This is part of the reason for the flexibility.

We also think that the needs of the States are so different in terms of how much should be used for development, how much should be used for this type of acquisition, how much should be used for that type of acquisition, that flexibility is needed, since we are dealing with 50 different entities. And that we have to have flexibility to deal with them in accordance with their problems. I think this is the real argument for flexibility and discretion.

But the agency—let me make this point.

The people who are going to be dealing together are State park directors, State conservation directors, State wildlife people, and the Bureau of Outdoor Recreation. These are the people going to work together. They are already intimately acquainted. They are already working together for all practical purposes on many things. So I think we are going to find this to be a very harmonious arrangement.

Senator SIMPSON. Well, my State of Wyoming is in the same predicament as these other Western States; 51.6 percent of our area is owned by the Federal Government. And we get distrustful of the attitude and the lack of flexibility with respect to the administration of public lands. Naturally, I am quite interested in the questions that were propounded by Senator Gruening and Senator Church of Idaho, with respect to that. And I don't think there has been an adequate answer yet that would enable us to report favorably on that to the State.

Secretary UDALL. Well, the committee, of course, is going to have to address itself to these problems.

The thing that would strike me about your State, Senator, is that except for California, this is the only State in the Union where you have two major national parks. And we actually have toll booths. We would like to get rid of the toll booths. If we could devise a car sticker system and get it established and working, I would like to take the toll booths down in Yellowstone and Grand Teton. I think this is the wrong way to approach it—we have a man sitting there taking tickets. And if we could get a proper system set up, we could do away with it. So I think your State might be the gainer in this type of system. Plus the fact that now you go into Yellowstone, you pay a \$3 fee. Teton has a \$2 or \$3 fee. Under the plan that we envision, if you had a \$2 or \$3 or \$5 sticker, whatever we decided upon, you could go through all areas—both parks. In other words, this would be cheaper as far as your State is concerned.

Senator SIMPSON. Of course, the national parks are in need of facilities. Yellowstone is in miserable condition as you know.

Secretary UDALL. We need plenty of help all the way along.

Senator ANDERSON. Mr. Secretary, I don't think Senator Simpson got an answer to his first question. The question was where will this 60 percent come from? Isn't the answer, it will come from these entrance fees, from the gasoline tax paid by motorboats, and things of that nature?

Secretary UDALL. Yes.

Senator ANDERSON. I didn't think the answer was completely clear.

Senator SIMPSON. That is all.

Senator ANDERSON. Senator Nelson.

Senator NELSON. On the fee, sticker fee discussion, it seems to me that—maybe I don't agree with this—but it seems to me that you would alleviate the problem of the Western States if, in defining the areas for which you would have to pay a fee, you would limit it to the circumstance under which they do pay a fee in Minnesota and Wisconsin, and that is on properties that are clearly delineated on which there is supervision and improvement, which in our State is only State properties. You do not need a fee in Wisconsin to go into a State forest. You don't need a fee to go any place. But if you come to a State park, which is supervised, which has fireplaces, which has water, which has toilets, which has campsites, you pay a sticker fee to go in and use it.

Now, in a State that is 60 percent federally owned lands, completely unimproved, I don't think you could charge to go on that. And I know of no place where a person walking has to pay.

But if you are talking about these large Western areas, where somebody wants to go in and camp on an unimproved campsite, where the Government hasn't spent money in putting in water, it is just up in the hills some place, it would seem to me you would eliminate that from any charge.

If you do that kind of a delineation, then you are down to the improved areas of national parks, then you are down to the areas in which you have, in the West, 17 Western States created a large watershed as a consequence of dams and all the land around it is owned by the Federal Government, and recreation on it is boating, fishing, and swimming, and it is feasible, and there will be supervision there, and it is feasible to charge a fee for that.

But if you are talking about the tremendous acreage of Western lands on which there is no improvement whatsoever, I don't think it is feasible to charge to go on them for any purpose.

Secretary UDALL. Senator, we looked around when we first began studying this a year ago at various alternatives. Quite frankly, the Minnesota-Wisconsin experience was the point that we finally came out at. The concept you are expressing is the concept that we think has been proven. We tried to find something that had been tried out, that had been demonstrated. And I think as we envision it—I may be sticking my neck way out—but I think we can come out with a system that will be acceptable, that the people will go along with, without serious objection, basing it on the very concept that you express.

We don't intend to ask, we are not going to ask Congress for extra people to collect fees, or anything of the kind. We don't think that is necessary. And if we cannot do it that way, I would rather not do it at all, to be frank with you.

Senator NELSON. Mr. Secretary, though, in Wisconsin, and I think in Minnesota—because when I was Governor, we were copying the Minnesota law—in Wisconsin—

Secretary FREEMAN. A very normal practice, I might add.

Senator NELSON. This bill hasn't passed yet. [Laughter.]

We carefully delineated it, however, and we did endorse it. But we delineated it to the State parks.

Now, this was acceptable. I don't recollect that I ever received a protesting letter from anybody—though I may have received a few. And we endorsed it.

You went into the State park, you paid your sticker fee. And in those parks in which the travel was heavy, people had the duty of collecting that fee. If it wasn't very heavy traffic, maybe somebody working in the park went around and asked for it. But if it was heavy traffic, the only feasible way to collect it is to have somebody there to collect it.

Now, when you went to a campsite that had water and a place to stay overnight, you pay \$1.50 to stay overnight.

On top of that, if you want some wood for your fireplace, you buy wood. Those are all on top of the fee, because you are getting a special service.

If you approach it that way, I think it is a defensible sticker system. But this is all on improved supervised public lands, versus the thing that Senator Church is talking about, where you have thousands upon millions of acres in which there is no improvement—it is wild. And to try to charge a sticker on that, I would think would be pretty tough—impossible to enforce, and probably not justifiable from the standpoint of the users.

Secretary UDALL. My own feeling is—I say, if we were to make a recommendation to the committee today—would take the Minnesota-Wisconsin experience, the California experience, which is basically what you are describing, and begin with that.

Senator NELSON. If you did that, Mr. Secretary, you would be answering Senator Church, you would be telling him that 95 percent or something of the land that he is concerned about is not then involved, wouldn't you?

Secretary UDALL. Well, this would be the essence of it.

Senator NELSON. Everything outside of any national park.

Senator CHURCH. May I just respond by saying this is the reason why I feel that we are entitled to some more definitive guidelines.

The real questions that are important have not been answered here this morning.

Senator ANDERSON. Keep asking them.

Senator CHURCH. You have mentioned the fact that we charge for fishing and hunting. Yes, we do. But anyone who engages in fishing and hunting is engaged in a particular activity that is very easily defined, against which you can charge a license fee. You mentioned duck stamps. Anybody who hunts ducks is engaged in a certain kind of activity that can be easily defined. And you can charge a fee.

But when you move through the national forests of Idaho, you may move for any purpose at all. And I would hate to be the forest ranger asking an Idaho mountaineer, who is just on his way to see his Aunt Susie in Loman why he doesn't have a recreation stamp on his car.

Now, this would be a very difficult thing.

You say you wouldn't have to come back here and ask for more forest rangers. I predict you will have to come back here, and not only ask for more forest rangers, but you will have to put badges and guns on them.

That is why we need to have far more certain delineation on what it is you are proposing. It seems to me altogether reasonable for us, as the legislators, to ask what is it that you are going to do, and to object somewhat when you say, "Leave it up to us, we have not thought it through completely, but we will do it in a reasonable, soft-sell way."

This is asking us to assume a considerable risk, I think, when we go back to face the people of our States.

Look at the number of cabins that there are in the forests of Idaho—summer cabins—part of our way of life. Do the people that use these summer cabins—are they going to be required to pay this fee, and to carry this sticker on their car?

Secretary UDALL. Well, Senator, I think as a result of your very sharp questioning here, we have tried to delineate a little more—a little clearer than I think the picture was presented initially—what we have in mind. But I think we are really not far at all away from the position of the Senator in terms of the rationale that he uses, and in terms of what he would consider reasonable. And this is what I hope we can come up with.

Now, the reason that we have not come in here with a plan today is that naturally if Congress doesn't enact the legislation, and doesn't say that user fees go into the conservation fund, we are probably right back where we are today, with the Bureau of Budget saying to us, "Why don't you charge more fees?" and with us usually dragging our feet. And that has been the whole history in this field.

We are sensitive to the questions that the Senator raises. It is a matter largely, if I narrow it, to doing just what you suggest, and that is, trying to do this in such a way that we identify the recreation user.

Senator ANDERSON. Mr. Secretary, you are almost at the point of a newspaper friend I have who fell in love with a lovely girl, but he was a horrible drunkard. He couldn't quit drinking until she would marry him, and she wouldn't marry him until he quit drinking.

Now, of course, any session is always enlivened by the members of the press. Secretary Freeman, one member of the press has requested me to ask you this question. I am going to advise you not to answer it.

If there was actually a house of ill repute on a national forest, he wants to know whether the sticker would cover that also. [Laughter.]

Secretary FREEMAN. When I am faced with difficult questions like that, I frequently come up to the New Senate Office Building and consult with the former great Secretary of Agriculture, Senator Clinton Anderson.

Senator ANDERSON. I would not include it.

Senator Dominick, do you have questions?

Senator DOMINICK. Thank you, Senator. I want to say that I think that the two Secretaries have defended a bill which has obvious problems in a very good spirit, and very well.

There are some questions that I would like to ask, and I don't think they are repetitive.

First of all, are aircraft fuel taxes included within this set-aside?

Secretary UDALL. The answer is "No," Senator. I am not sure there is an aircraft fuel tax levied. But I don't know.

Senator DOMINICK. This would be a tax on diesel fuel for aircraft and a tax on ordinary gasoline.

Secretary UDALL. No.

Senator DOMINICK. Secondly, it is my understanding that someone can violate a rule or a regulation which has not yet been written and go to jail for it, whether or not they intended to do this. Is that correct?

Secretary FREEMAN. No.

Senator DOMINICK. Well, page 4 of the bill says that any violation of any rules or regulations shall be punished by imprisonment of not more than six months. Does that mean they can go to jail, even though the rules and regulations have not been written?

Secretary FREEMAN. No.

Senator DOMINICK. What does it mean?

Secretary FREEMAN. I would think it means that if the rules and regulations are established, the penalty for violation of those rules and regulations would be given penalty.

Senator DOMINICK. A jail sentence, among other things.

Secretary FREEMAN. That is a possibility, yes.

Senator DOMINICK. There is no provision for an intent in here, in the bill.

Secretary FREEMAN. No—any more than there usually is in a misdemeanor.

Senator DOMINICK. So the proper answer is that this is correct, then—that you can go to jail for a violation of a rule and regulation.

Secretary FREEMAN. The proper answer would be—I beg your pardon. I thought you had said earlier that you could go to jail without a rule or regulation being in existence. Did I misunderstand you?

Senator DOMINICK. No. I say the rules and regulations have not yet been written, so we don't know what we are threatening people with a jail sentence about.

Secretary FREEMAN. I think what it says is when rules and regulations are provided, that the penalty for them could be at a maximum that is prescribed in the law. This is a limiting phrase.

Senator DOMINICK. So, in effect, then, we are being asked to give to, I guess it is, the Secretary of Interior, probably both of you together, the right to determine what a person can be put in jail for.

Secretary FREEMAN. No. I don't think so.

Senator DOMINICK. Why not?

Secretary FREEMAN. I think you are saying that a penalty for violation of a rule and regulation based upon the law passed by the Congress might be as much as 6 months. We do not say there is any kind of arbitrary power in either Secretary, but rather in terms of what Congress seeks to establish, and then delegates the rulemaking authority and administering authority, which I think is the normal course of administration.

Senator DOMINICK. Well, just a few more. I might say here it looks to me as though you are given the right to propose and put into effect any rules and regulations which fit within the act, and then someone can go to jail for that.

Now, there are \$480 million, am I correct, total amount that can be advanced in connection with this?

Secretary UDALL. Advance appropriations, yes, I think that is the total—the maximum that would be authorized.

Senator DOMINICK. If this bill is passed, would that advanced appropriation have to be made each year by Congress, or would it be a blanket authority?

Secretary UDALL. No, this is an annual appropriation. In other words, this isn't back door—this is front door—do it the hard way.

Senator DOMINICK. Only 50 percent of this is repayable, is that correct?

Secretary UDALL. No, the entire amount would be repayable, without interest.

Senator DOMINICK. The entire amount without interest.

Secretary UDALL. That is right.

Senator DOMINICK. So that if it is deficit financing or deficit budgeting in this connection, we will have the interest charge at least in the Treasury.

Secretary UDALL. That is right. This is the same as the wetlands program.

Senator DOMINICK. Have you made any analysis of what happens to the highway interstate trust fund if you take these funds away from them?

Secretary UDALL. Well, this amount of money is a fraction of 1 percent. So I don't think it is going to seriously impede them.

Senator DOMINICK. Wouldn't that have to be made up by other revenues, in order to keep on going with the long range program that has now been put through?

Secretary UDALL. I don't think it has to be made up. Congress of course from time to time has revised the program. It has strengthened the finances. And it might want to do that at some subsequent time. But this doesn't—this one- or two-tenths of 1 percent I don't think would have a significant effect on the highway program. And everybody agrees the money doesn't belong there in the first place, using what motorboat people pay for water projects.

Senator DOMINICK. Everybody doesn't quite agree, because Congress has already put it into the highway trust fund.

Secretary UDALL. No—

Senator DOMINICK. At the request of the President, I might add.

Secretary UDALL. When Congress put the last 2 cents on, they said it is refundable. So they indicated there that they felt that it really didn't belong in the fund. And what we are coming along now and doing is trying to put the money where it will do some good for the people paying the tax. This is the rationale.

Senator DOMINICK. Now, you are taking out the motor fuel tax, motorboat fuel tax, and the surplus receipts fund. How much do you think this is going to amount to and what effect will it have on the General Treasury?

Secretary UDALL. I indicated earlier the estimates on the motorboat fuel tax is \$30 million a year, roughly. The surplus property varies up and down. It has averaged in the neighborhood of \$55 million a year, the last 5 years.

Senator ANDERSON. Would the Senator from Colorado permit me to come in there for a question?

Mr. Secretary, the citation here on page 5, line 12, is to section 209(f)(5). Now, the original act didn't have a 5 in it, in 1956. One was put in in 1959, and repealed in 1961.

Do you know what it is you are referring to here? Is this a provision we are not able to find?

Secretary UDALL. No. I would like to supply something. The Treasury Department prepared this particular section of the bill.

Senator ANDERSON. Doesn't the Treasury Department know what this section is?

Secretary UDALL. We can get the answer for you. (See subsequent testimony.)

Senator ANDERSON. I wish you would—because this is motorboat fuel—unless it was something passed after the repeal of this one.

It is a little hard to follow.

You be sure and give us something on that, as to what this does refer to.

Senator DOMINICK. Mr. Secretary, I gather that under section 4, the allocation that would be theoretically possible at least, these funds could be divided 45 percent to the State and 55 percent to the Federal Government on account of a 15-percent leeway that you have in there.

Secretary UDALL. Well, the bill is 60-40, with 15-percent leeway up or down. In other words, each year we would tailor the program—what we really have to do is first look at what the Federal needs are, and then the States—if the Federal needs are low, the States would probably get more than 60 percent. But they could in no event get less than 60 percent.

Senator DOMINICK. They could not get less than 60 percent?

Secretary UDALL. No, I am sorry. Up or down. It could be less.

Senator DOMINICK. It looks to me like the Federal Government could get 55 and the States only 45 percent.

Secretary UDALL. Yes, that would be a possibility, you are correct.

Senator DOMINICK. Do you anticipate that that would happen?

Secretary UDALL. Well, if it did, it would be an exception. Our best estimates would be that probably most of the time the States would get 60 or more.

Senator DOMINICK. Now, I gather that there would be no user fees in connection with either Bureau of Land Management lands or agricultural lands, other than recreation fees, is that right?

Secretary UDALL. That is correct.

Senator DOMINICK. In other words, mineral leasing fees and oil fees, none of those would be included.

Secretary UDALL. This is an outdoor recreation program, outdoor recreation user, and the use of money for outdoor recreations is the purpose.

Senator DOMINICK. Would you contemplate charging a fee for the use of the wilderness area?

Secretary UDALL. No. I think very obviously—we have discussed this in our colloquy this morning, we don't envision a fee for that sort of thing.

Senator DOMINICK. If you had this automobile sticker situation to go into the brink of this, though, you still would have to have one, would you not?

Secretary UDALL. Well, certainly a person who is using the wilderness as a recreation user. And if he comes into—he has got to get into the forest area most likely, in the first place. He has to park, he has to have a place to operate from. If he comes in in that way, he is a recreation user, he would have to pay. But the problem is we cannot let each individual determine what it is that he is doing, or everyone would say "I am just passing through, I am sorry, we stopped to have a picnic." This is the problem that we get down to.

And again, I think if we use the approach that the States have had—who have successfully had user charges—if we start out in a gingerly way, in a modest way, and educate people to what the idea is behind it, I think they will accept it.

Senator DOMINICK. What are you going to do, for example, with outfitters who take groups on pack trips, and things of that kind. Are you going to charge each one of them a user fee, and the outfitter also as a special fee, or how do you plan on that?

Secretary UDALL. Well, there is nothing of that sort contemplated.

Senator DOMINICK. A lot of these outfitters take people on pack trips through national forests and parks, and so on. What would you do with that?

Secretary UDALL. Well, Dr. Crafts has done more thinking on this than I have.

Dr. CRAFTS. Senator, on pack trips, if they are horseback—if you are talking about a conservation sticker—no conservation sticker would be required.

Senator DOMINICK. I can't quite hear you, I am sorry.

Dr. CRAFTS. If you are talking about a conservation sticker, this runs to an automobile, a vehicle, not to an individual. So no conservation sticker would be required unless a car or a truck were used to transport people across Federal lands to these wilderness areas.

If this is the case, a sticker would be required on a commercial vehicle used for pleasure purposes, according to our present thinking.

Senator DOMINICK. For actual use in a situation like this, you wouldn't plan on charging anybody a fee?

Dr. CRAFTS. Not for walking on the land, no.

Senator DOMINICK. What limitations are there on the acquisition of new Federal areas? Is it just the amount of money available, or what?

Secretary UDALL. Well, the limitation is that the committees of Congress, both the authorizing committees and the Appropriations Committees, handle all proposals in the usual way. If we have a new park area, it comes to this committee.

Senator SIMPSON. Would the Senator yield on a question right there?

Would that contemplate condemnation of land in the national interest to be included in this acquisition of land?

Secretary UDALL. Again, Senator, the answer is in each individual case this committee would consider what to do. If you authorized a new national seashore, a park, a monument, this committee would write its own bill in each individual case.

Secretary FREEMAN. May I just have the record show, if we develop a system here of the various kind of fees, I am not at all sure there ought not to be one to go to people using the wilderness areas. I wouldn't want the record to mislead anyone in connection with what might end up. A lot of this we have not really contemplated. But I wanted to make sure this is not a statement where if we subsequently did something, it would look as though we mislead you.

Senator ANDERSON. But, Mr. Secretary, it wouldn't apply to the wilderness, because the automobile cannot get inside the wilderness.

Secretary FREEMAN. I was thinking rather of the user fee vis-a-vis campgrounds, picnic grounds, and so forth.

Senator DOMINICK. Are you contemplating campgrounds and picnic grounds in wilderness areas?

Secretary FREEMAN. No; I merely made this as a comparison of a user fee as distinguished from a car sticker.

Senator DOMINICK. What are the criteria, or have you developed any yet, for raising or lowering the user fees? Are they going to be different in each park or each area?

Secretary FREEMAN. Well, speaking from present experience, it is dependent on the nature of the facility, and it varies in various places according to how extensive facilities are available.

Take, for example, nearby here, up in Elizabeth Furnace, in the Shenandoah area, there is a 50-cent charge per family for picnicking, \$1.50 charge for rather substantial campsites. This is a general fee. It may well be at one place or another that that should vary, depending upon the area, and the extent of the facilities.

Senator DOMINICK. Do you plan on adding recreation areas within national parks which are potentially subject to wilderness at the present minute—wilderness classification?

Secretary UDALL. I am sorry, Senator.

Senator DOMINICK. There are provisions in the proposed bill for wilderness areas within national parks. I notice that portions of these funds could be used for putting recreation areas within national parks where they are not now located.

Secretary UDALL. No, Senator. We are talking about creating, under some administration proposals—Secretary Freeman and I just agreed on some—to establish what essentially would be new areas that we would call national recreation areas. Some would be in the national forests. Some would be in other public land areas. Some would be in new areas that were created. But these would not be national recreation areas located within existing national parks or monuments. These would be new areas.

Senator DOMINICK. I must say I concur with Senator Church that I think anybody in the Western States who happens to live there is going to have to pay an automobile sticker before he can move out of his front yard, in order to avoid a violation of this law if passed this way.

That is all.

Senator CHURCH. May I ask if the car sticker would apply also to motorcycles? Would there be stickers for motorcycles, for the small motorized devices that are now becoming so popular in the western public domain?

Dr. CRAFTS. The answer to that is there is no decision been reached on this. As many other things, we have given some thought to that.

Senator CHURCH. But you eliminated horses, because the stickers wouldn't stick as well.

Secretary FREEMAN. We might be able to design one, if the Senator thinks we should.

Senator CHURCH. No. At the moment, at least, I am inclined to think in the other direction.

Senator SIMPSON. Mr. Chairman, in light of the Secretary of Agriculture's statement of the prospect that the wilderness area would be subject to these fees, and he doesn't want to have the record show otherwise, I was going to ask what about the outfitters with horses. Is there a fee contemplated there?

Secretary FREEMAN. May I make it very clear that I don't think there is any prospect in light of the statement that I made for the record one way or another. We are seeking to develop appropriate new sources of revenue, so we might make available adequate recreation resources to the people of this country. And it is our considered judgment that it is going to be impossible to do this through the normal means of appropriating. And I would say to this committee that if they feel this bill could come out calling for an expanded program on this level through direct appropriation, coming through the normal general revenue channels, I think Secretary Udall would join with me in saying God bless you, we will sure buy it.

In the meantime, we feel a very real responsibility for providing these kind of facilities.

It might well be in the course of this, if this committee gave the green light to developing some new sources of revenue, that we would review the present fee system. And under the law as it now stands, as a matter of fact, we could have a requirement for use within wilderness areas where there are very substantial developments. It cost a considerable amount for the forestry service to maintain many, many thousands of miles of trails in wilderness areas. And as such, when people go in there for a week or two, it might be very reasonable to have a modest charge to help defray that. I am not suggesting it is in prospect or not in prospect. I didn't want Senator Dominick to be misled for me to say this could not happen.

Senator CHURCH. I thank the Secretary. My own thought is that the assurance is all right. But it is obvious from the colloquy here, and I think the Secretaries would agree, it points up some of the impracticability that we are faced with, and that we should have better guidelines. And I agree with our chairman.

(Secretary of the Interior Udall subsequently sent to the committee the following letters and memorandums:)

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 29, 1963.

HON. HENRY JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: At the hearing on S. 859 before your committee on March 7 concerning establishment of a land and water conservation fund, numerous questions were raised about a possible conservation car sticker and other aspects of the bill.

Enclosed is a statement prepared by the Bureau of Outdoor Recreation covering these and other questions raised about the bill. The purpose of this statement is to give the committee as clear and concise information as possible in advance of its executive session consideration of the bill.

A second statement, also enclosed, is a brief résumé of the various State sticker programs now in effect that cover recreational use of State areas.

It should be emphasized that the language of the bill concerning entrance, admission, and other recreation user fees would give the President authority to provide for such fees. Presumably, in doing so he would seek the counsel of the Federal departments and agencies concerned, perhaps through the medium of the Recreation Advisory Council established by Executive Order 11017 on April 27, 1962. In view of this, the information offered in the attached statement reflects only the present thinking of the Department of the Interior and is subject to modification in light of congressional action on the bill, legislative history, and Presidential decision.

Because there has been much interest expressed on the part of the States, the general public, and conservation and recreation organizations concerning

details of the fee proposal and other aspects of the bill, we are sending a copy of this letter and attachments to all members of the committee and, in addition, making it generally available. Our hope is that this statement will clarify many of the questions that have been raised.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

Enclosures.

EXPLANATORY STATEMENT ON LAND AND WATER CONSERVATION FUND BILL
(S. 859 AND H.R. 3846)

The following should be read in conjunction with the Secretary of the Interior's letter transmitting this statement to the chairman of the Senate Interior and Insular Affairs Committee.

That letter explains the purpose of this statement which is to supply answers to numerous questions which were raised regarding recreation user fees and other aspects of the bill at the hearings on March 7, 1963, before the Senate Committee on Interior and Insular Affairs.

This statement supplements the Secretary of the Interior's letter of January 28, 1963, to the President, the President's letter of February 14 to the Congress recommending the legislation, and the Secretary's testimony before the committee on March 7.

As explained in the Secretary's transmittal letter to the chairman, the policies as set forth in this statement, particularly with regard to user fees, are necessarily tentative because of the language of the bill stating that the President would be authorized to provide for user fees. The discussion set forth herein on that subject reflects only the present thinking of the Department of the Interior.

There are three basic ideas upon which the proposed legislation is predicated:

1. The first is that States should occupy the key role in the administration and development of public outdoor recreation opportunities.

2. The second is that (a) a substantial acreage of land needs to be acquired by public agencies in order to make it possible to meet future recreation needs, and (b) this acquisition needs to occur promptly before such lands either become unavailable for recreation because of commitments to other uses or become prohibitively expensive.

3. The third is that acquisitions should be financed with as little impact as possible on the Federal budget and, as a corollary, that recreationists—the direct beneficiaries—should pay a reasonable portion of these costs.

The bill carries out these three premises.

The following explanations are arranged to follow the format of the bill section by section:

SECTION 2(a), ENTRANCE AND USER FEES; ESTABLISHMENT; REGULATIONS

General philosophies.—The general philosophy behind the proposal for recreation user fees is that it is reasonable and equitable for the beneficiaries of recreation benefits on Federal land and water areas to pay directly a share of the cost of providing such benefits.

Most of the recreation benefits enjoyed by the users of the land and water areas administered by the Federal agencies enumerated in section 2(a) are now free. Although users pay general Federal excise and income taxes, millions of nonusers also pay these same taxes.

The Federal fees to be authorized would be particularly appropriate inasmuch as they would be used for providing additional recreation benefits—by both State and Federal Governments—primarily through the acquisition and development of recreation lands and waters.

Furthermore, the charging of a modest fee for recreational use of Federal lands and waters could prove a substantial encouragement to private enterprise which wishes to enter the recreation business, as well as to State and local governments. This is true because no longer would either the private sector, or the State and local governments, be competing with nearby free Federal areas.

Types of fees.—Section 2(a) does not specify the kind of fees that might be levied. Present thinking, however, is that for the most part these would be of two general types: (1) A conservation car sticker, and (2) supplementary

fees for specially developed recreation sites and facilities, including well-developed tent and trailer sites, picnic grounds, or swimming areas.

The conservation car sticker would apply to all motor-driven passenger vehicles whose occupants make a bona fide recreation use of Federal lands and associated waters. The standard sticker would be good for a calendar year and for an unlimited number of entries to all Federal areas administered by the agencies specified in the bill. Reduced sticker prices might be available for after Labor Day, or for short periods. Somewhat higher rate stickers would be available for commercial vehicles carrying passengers for hire who make recreation use of Federal lands. The sticker would be modest in cost (suggestions now under consideration range from \$3 to \$5) and would be considered in the nature of a contribution to conservation.

With the purchase of the sticker, the individual would be given a simplified directory of recreation sites on all Federal land and water areas where the sticker would be required.

In general, a conservation sticker would be required at Federal recreation areas and developments where there has been a special investment of Federal funds for the benefit of recreation users. This would include developed camp and picnic sites, scenic overlooks, boat launching ramps, swimming areas, and similar localities.

Access to such areas administered by the Bureau of Land Management, the Forest Service, and the Bureau of Sport Fisheries and Wildlife is generally controllable or subject to ready checking. Similarly, access to areas administered by the National Park Service, Bureau of Reclamation, and Corps of Engineers is for the most part controllable and checkable.

On the other hand, requirement of the car sticker would not be practical on much of the land areas administered by the Forest Service and Bureau of Land Management, except where there have been special recreation investments, partly because of the frequency of scattered or checkerboard ownership, as well as lack of controllable or checkable access. Where boundary lines are not clearly defined, as is the case in many instances, a requirement for a car sticker would be impractical.

Therefore, a general principle might be expressed that where the access or use for recreational purposes of Federal lands and waters is controllable or susceptible to ready checking, a conservation sticker would be required. In addition, provision would be made for voluntary purchase of a sticker as a contribution by persons using other Federal land and water areas for recreation where the sticker is not required because access or checkability is not readily controllable or feasible. Persons not using the specified Federal lands at all for recreation could also purchase the sticker as a contribution to conservation.

The above principle means that on the great bulk of the national forests, national grasslands, and national land reserves, the conservation car sticker would not be required.

Conversely, at most areas of the national park system or those administered by the Bureau of Reclamation or Corps of Engineers, the sticker would be required.

With respect to units of the national park system, the single sticker would either supersede existing entrance fees or initially be credited toward the existing fee.

In addition to a conservation car sticker, supplementary fees would be charged on a per-car unit for camping and picnicking areas, or on a per-person basis for swimming areas. These charges would be applied where special recreation improvements have been made, or where special facilities are provided, such as hot water, washing machines, bathhouses and trailer hookups, or similar items; where the areas are managed for, or limited to, recreation use only; and where it is feasible to administer a collection system. These special supplementary fees would not be charged at designated Federal camp, picnic and swimming areas where there is a minimum of development.

Costs.—The cost of the conservation car sticker would be set between \$2-\$5 a year and would probably be started at about \$3. The cost of the sticker would depend on numerous factors, such as public acceptance, the ability of the States to match the Federal funds that might be made available under the bill, the term for which the sticker is sold, and the type of vehicle involved.

For special tent and trailer sites, the cost might vary from \$1-\$3 per day per family unit; for picnic sites, 50 cents per unit; and for swimming, perhaps 50 cents per person per day for individuals 12 years and over.

In general, the scale of special charges would be established to conform with the going rate of such services or facilities in the general area. Maximum use of automation would be used in collecting these special fees.

The sticker would be applied to passenger carrying motor vehicles of all types. Commercial vehicles using Federal areas for nonrecreational purposes would not be subject to a sticker. House and other types of trailers might be assessed a sticker if used in conjunction with recreation purposes, but a fee somewhat less than that applied to the basic towing vehicles.

Enforcement.—At areas where the car sticker is required, or where other types of fees for camping, picnicking, and swimming are charged, enforcement for the first phase would be limited to warnings and encouragement of violators to pay the required sticker or fee. The experience of the States strongly indicates, we think, that the voluntary approach would work 99 percent of the time.

After a year or two, and after the system had shaken down and been better understood, there might be occasional situations where the authorities provided in section 2(a) for enforcement would be utilized.

The procedures used for checking compliance would be a combination of periodic checks at designated recreation sites, use of entry stations at units of the National Park System, and methods now used for enforcement of hunting and fishing license requirements. It is not contemplated that personnel would be stationed constantly at all places where special fees would be required, nor would funds be required for additional personnel to do ticket taking.

Special situations.—Many questions of applicability are asked concerning specific situations that come to mind. Frequently, answers to one question lead to others. Not all can be foretold in advance. This is where discretion, judgment, and experience must play an important role.

There would, however, be numerous exceptions to the general principles expressed above, as for example a number of historic sites and national shrines administered by the National Park Service, such as in the National Capital area. Special entry fees might continue to be charged at such areas. There might be other situations where recreation lands have been donated or sold to the Federal Government under conditions or covenants which preclude recreation user fees from being charged for their use.

Because the conservation sticker would apply only to motor vehicles as indicated above, obviously no sticker would be sought from fishermen, hunters, hikers, or others who enter Federal lands on foot or horseback.

A conservation sticker presumably would not apply to the use of vehicles to cross specified Federal lands to reach private or public inholdings, but would apply to access to summer home sites leased on Federal lands, or for access to private concessionaire developments on Federal lands utilized for recreation purposes, such as some winter sports developments. In the case of Federal lands leased for recreational purposes to States or other public agencies, the conservation sticker would apply where there has been substantial Federal financial investment in making such leased lands attractive, as for example, the impoundment of waters.

The applicability of a conservation car sticker in the above situations or in others where the use of Federal lands for recreation is by permit, license, contract, or cooperative agreement would, of course, be subject to the specific terms of such instruments. These would be honored in all cases.

Method of sale.—The conservation car sticker presumably would be sold at post offices, and at all the offices of the agencies administering properties in question. Arrangement might also be made for outlets through tourist bureaus, service station, or travel agencies. In each case, as mentioned before, a recreation directory would accompany the purchase of the sticker.

Sources of income.—This is a question of particular interest to westerners who recognize that most of the Federal land that will be subject to a car sticker or to other recreation user fees is in the West. There are a number of factors to consider here.

To many westerners who tour the national parks frequently, a conservation car sticker—good for entrance to all parks for a year and for an unlimited number of visits—would be a distinct savings over the present system of individual fees to individual park areas.

It is estimated that a larger percentage of cars registered in Western States would carry a sticker than the percentage registered in Eastern States. The best estimate is that about 60 percent of noncommercial vehicles registered in the 13 Western States might carry a sticker as against 25 percent of the cars registered in the other 37 States.

On the other hand, because the bulk of the population is in the East, Middle West, and South, the actual number of cars holding stickers would be greater in the States outside the 13 Western States than in them. This means that about 35 percent of the conservation car fees might come from the 13 Western States, whereas 65 percent would come from the remaining States.

SECTION 2 (b). SURPLUS PROPERTY SALES

The use of the proceeds from the sale of surplus Federal real property for the planning, acquisition, and development of recreation lands is in effect a land-for-land exchange. It is a transfer of capital assets from real property no longer needed, and their reinvestment in other capital values. This is not taking a capital investment, and liquidating it through another use. It is the reinvestment of a capital asset of the Federal Government in a permanent type of capital resource; namely, land, and in a type of land which is currently an appreciating asset.

The proceeds from the sale of surplus Federal real property now go into miscellaneous receipts and like all other moneys in the general fund of the Treasury may be used only by congressional appropriation. Likewise, the use of moneys from the Land and Water Conservation Fund would have to be appropriated before becoming available.

SECTION 2 (c). MOTORBOAT FUELS TAX

This subsection, along with section 7, does not impose any new taxes. It does two things. The 2 cents per gallon of the presently imposed 4 cents tax which is now refundable, but which is largely unclaimed and goes by default to the Highway Trust Fund, would no longer be refundable. It would also earmark to the separate account the nonrefundable 2 cents which presently goes to the Highway Trust Fund.

The effect, therefore, is not to impose a new tax, but to make available to the Land and Water Conservation Fund the existing 4 cents per gallon tax relating to special fuels and gasoline used in motorboats. This is equivalent to about 0.8 of 1 percent of the money going into the Highway Trust Fund each year. In other words, it would be an insignificant portion of the Highway Trust Fund, but a consequential portion of the Land and Water Conservation Fund.

Commercial fishing vessels do not have to pay this tax, but motorboats chartered commercially for sport fishing would continue to pay the tax on special fuels and gasoline.

SECTIONS 3 AND 4. REVENUES, ALLOCATIONS, ADVANCE APPROPRIATIONS, AND REPAYMENT

Revenues would range from an estimated \$80 million in the first year to a peak of \$183 million in the last year and would average over the 10-year period about \$150 million. These would be derived approximately \$55 million from automobile stickers (if the fee is \$5), \$13 million from special camp, picnic, and swimming fees, \$30 million from motorboat fuels tax, and \$52 million from the sale of surplus property.

The diversion by the President of a portion of the revenues into miscellaneous receipts is estimated to be about 20 percent of the annual revenue. This could be more or less depending upon the need to help offset the cost of additional lands at Federal water projects, the need for Federal land acquisition from the fund,

the need for State land acquisition or development, and the ability of the States to meet the necessary matching requirements.

The allocation of the fund between State and Federal purposes could range from 75 percent State and 25 percent Federal to 45 percent State and 55 percent Federal. The estimates made so far indicate that the probable allocation would be about 70 percent State and 30 percent Federal. Flexibility is needed here because of variable circumstances that would be encountered.

There is also provision for a \$60 million annual advance appropriation for 8 years and starting in the third year of the fund. To the extent that this advance is appropriated, it would have to be repaid without interest starting the 11th year using 50 percent of the revenues in each year to do so. If the full amount of \$480 million were appropriated and \$75 million used each year to pay it back, the advance appropriation would be paid back in about 6½ years.

It should be emphasized that none of the money from the fund, nor from the advance appropriations, would be available until appropriated by the Congress. Therefore, this is not a "back-door" financing proposal. No automatic availability of funds is involved whatsoever.

The amount of advance appropriations that might be needed would depend on the magnitude of revenues going into the fund, including the price of the sticker, the amount diverted from the separate account into miscellaneous receipts, and the needs of Federal and State agencies for land acquisition and development.

The establishment of a conservation fund is considered essential rather than resorting to financing the program completely with general funds of the Treasury, because history amply demonstrates that general funds are not readily appropriated by the Congress for land acquisition. It is believed that if the land and water conservation fund were sacrificed, and the program made wholly dependent upon general funds of the Treasury, no effective acquisition program, Federal or State, would be accomplished.

The present proposal does not provide for a loan program to States, but only for a financial grant-in-aid matching program. The Outdoor Recreation Resources Review Commission recommended both grants-in-aid and loans. A loan proposal might be forthcoming at a later date, but it was not felt desirable to include it as part of the present conservation fund proposal.

SECTION 5. FINANCIAL ASSISTANCE TO STATES

The present proposal provides that the Secretary may make certain funds, not to exceed 75 percent of the total land and water conservation fund, available to the States for outdoor recreation planning; acquisition of land, waters, or interests therein; or development.

The primary questions in this portion of the bill relate to the apportionment of moneys among the States, to the financial matching requirements against the States, to the character of the comprehensive statewide plan that would be required as a prerequisite to planning and development, and to the limitation on development moneys that may be spent.

Apportionment.—The apportionment formula as provided in section 5(b) of one-fifth equally to all States, three-fifths on the basis of population, and one-fifth on the basis of need as determined by the Secretary is different than recommended by the Outdoor Recreation Resources Review Commission.

The Commission recommended: "Funds would be apportioned among the 50 States on the basis of their population and area, with equal weight given to each factor. Federal lands, other than restricted military areas, would be excluded from State area computations. The apportionment should reflect the extent of Federal recreation programs within the State and on Federal lands readily accessible in adjacent States. It should also reflect the current needs for outdoor recreation. A reasonable minimum apportionment should be specified."

It is apparent from the above that the Commission did not suggest how the special factors mentioned such as minimum apportionment, current needs for outdoor recreation, and the extent of Federal programs were to be accounted for.

The reason for using the formula proposed in the bill is to provide latitude to take account not only of the magnitude of Federal recreation programs within the State, but also the impact on States of recreation use by residents from outside the State and the need for some flexibility in apportionment to meet needs. It is also felt that the emphasis on population through allotting three-fifths of the apportionment on the basis of population reflects one of the basic conclusions of the ORRRC that most of the need is where most of the people live.

The more populous States prefer that three-fifths of the apportionment be based on population, whereas the less populated States prefer that two-fifths be based on population. This is purely a matter of judgment, but one for determination by the Congress.

Comparisons have been made between the formula provided for in the bill and a 50-50 allocation on the basis of population and area as recommended in the ORRRC report.

In general, the ORRRC formula in relation to the bill formula favors those States with large acreages, low population, and small amounts of Federal lands. Conversely, the ORRRC formula tends to allocate less funds than would the bill formula to States with small acreages, high populations, or large amounts of Federal lands. It is difficult to judge on the basis of the above generalities which formula would prove more beneficial to a particular State because the various factors sometimes tend to counterbalance.

To illustrate, the ORRRC formula would allocate less funds than the bill formula to such States as Alaska, California, Nevada, New Jersey, West Virginia, Vermont, Massachusetts, Illinois, and Ohio. Conversely, the ORRRC formula would allocate more money than the bill formula to such States as Arizona, Colorado, Montana, New Mexico, North and South Dakota, Texas, and Wyoming. There would be little difference as between the two formulas for such States as Washington, Idaho, Utah, and Wisconsin.

Matching.—As to matching requirements, most States prefer the Dingell-Johnson, Pittman-Robertson requirements of 75 percent Federal and 25 percent State matching. Fifty-fifty matching is the pattern of numerous Federal-State programs, and is what the bill provides for in aiding States in planning.

The 30 percent Federal and 70 percent State division for acquisition and development is in accord with the maximum amounts allowed under the open space program of the Housing and Home Finance Agency and recognizes the need for States to carry the major share of this program by themselves.

Development.—The limitation of 10 percent on development is looked on with disfavor by most States, particularly those which have a substantial acreage of State lands. This is a temporary limitation for the first 10 years of the program and reflects a belief that the most urgent need is for the States to acquire needed lands before they are preempted for other purposes or become prohibitively expensive.

The development limitation applies not to each State individually, but to the States as a group. Thus, some States may receive more than 10 percent of their apportionment in development funds if this is offset correspondingly by other States receiving less.

The 10 percent limitation on development may mean that about \$375 million of estimated State needs for development would not be accommodated within the first 10 years.

Planning.—The specifics for a comprehensive State plan are spelled out in the bill. State plans shall consider Federal and local programs within the State, as well as separate State plans. Also, the plan shall use the same basic economic assumptions on population, growth, and other factors as are used in comprehensive plans that may be financed with the assistance of the Housing and Home Finance Agency.

County and local governments can participate in the statewide program if their proposals for acquisition or development are within the framework of the statewide outdoor recreation plan and are submitted through and with the endorsement of the State government to the Secretary of the Interior.

SECTION 6. ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

The dollars contemplated for Federal acquisition purposes for the national park system, national forest system, and the Bureau of Sport Fisheries and Wildlife total about \$560 million over a 10-year period and are divided roughly 40 percent each to the national forest and national park systems, and 20 percent for threatened species and incidental recreation at refuges.

The fund would not be available for development of Federal lands.

No substantive acquisition authorities are included in the legislation. Moneys made available by the Congress through the appropriations process from the fund for Federal acquisition could be used only for the purposes specified in the bill and only for acquisitions where authorized by other acts of Congress.

The question frequently raised in connection with Federal acquisition is whether the authorized use of funds for national forests should be limited to acquisition of lands primarily valuable for recreation. The Department of Agriculture is best qualified to answer this.

As the bill reads, funds allocated to the Forest Service under the authority contained in the bill could be used for any Forest Service acquisition otherwise authorized if the funds are appropriated and presumably if the purchases are approved by the National Forest Reservation Commission pursuant to existing law.

There are several justifications for not limiting Forest Service acquisitions to lands primarily valuable for recreation. Among them are the facts that all national forest lands have value for fish and wildlife, the utilization of which serves a recreational purpose. Under the Multiple Use Act of 1960, recreation is given equal consideration with other uses on the national forest system. When recreation sites are acquired, it is frequently necessary to acquire surrounding lands and waters which cannot be said to have primary value for recreation but which are essential for effective use and management of recreation sites per se. These surrounding lands thus provide for a substantial part of the recreation value of the specific sites.

Furthermore, a substantial portion of the moneys that would go into the land and water conservation fund would not derive from recreational sources, such as the advance appropriations and moneys from the sale of surplus Federal lands. In the aggregate these would make up about 50 percent of prospectively available funds. There is great need for acquiring inholdings, particularly within the eastern national forests and this proposal offers a promising opportunity to finance such acquisitions which have proceeded very slowly in recent years.

It is estimated that National Park Service acquisitions will be 1.4 million acres; Forest Service acquisitions, 4.0 million acres (over 80 percent in the East), or 10 percent of all inholdings in the national forest system; and Bureau of Sport Fisheries and Wildlife, 1.9 million acres—or a total of 7.3 million acres at an average cost of \$75 per acre. All of the acquisitions of the Forest Service and 30 percent of those of the National Park Service would be inholdings within existing areas.

Attached to this statement is a summary table of estimated revenues and obligations, both Federal and State, against the fund for selected years and totals for the first 10-year period. This table is developed on the maximum assumption of a \$5 vehicle sticker and full appropriation of both the indicated revenues and the advance authorizations. In other words, the table reflects the maximum financial program. It also assumes that States will be able to match total Federal dollars available. Under these assumptions, the average annual Federal expenditure would be about \$200 million a year and the average State expenditures would be about \$260 million a year or a total for the two of \$460 million a year.

Also attached is a brief table showing estimated acreage needs of the three Federal services that will primarily benefit, as well as estimated costs both per acre and total.



Estimated revenues to the separate account and to the land and water conservation fund, and estimated Federal and State cost of the program for selected years and for the first 10-year period (all funds subject to appropriation by Congress)

[Thousands of dollars]

	1964 ¹	1967	1970	1973	10-year totals
Revenues:					
Five dollar auto sticker	\$10,000	\$57,000	\$63,000	\$70,000	\$559,000
User fees	7,000	10,000	14,000	24,000	132,000
Four cent marine fuel tax	3,000	29,000	34,000	39,000	294,000
Sale of surplus property ²	60,000	50,000	50,000	50,000	530,000
Total revenues to the separate account	80,000	146,000	161,000	183,000	1,515,000
Estimated credit to miscellaneous receipts ³	16,000	29,000	32,000	36,000	301,000
Remainder in separate account	64,000	117,000	129,000	147,000	1,214,000
Advance appropriations		60,000	60,000	60,000	480,000
Estimated total in land and water conservation fund	64,000	177,000	189,000	207,000	1,694,000
Obligations against land and water conservation fund—Federal acquisition:					
National forest system	2,954	23,125	27,750	11,100	207,195
National park system	4,676	29,000	19,000	18,702	218,747
Threatened species and refuges	1,370	10,200	17,500	23,500	132,374
Total Federal from fund	9,000	62,325	64,250	53,302	558,316
State aid:					
Planning	2,000	1,000			12,000
Acquisition	10,160	110,510	112,275	138,329	1,007,876
Development ⁴	3,840	12,390	12,475	15,369	115,808
Total State aid	16,000	123,900	124,750	153,698	1,135,684
Total obligations against fund	25,000	186,225	189,000	207,000	1,694,000
Balance unobligated in land and water conservation fund	39,000	28,500	0	0	0
Estimated total Federal cost of program	41,000	215,225	221,000	243,000	1,995,000
Matching obligations by States:⁵					
Planning (50 percent)	2,000	1,000			12,000
Acquisition (70 percent)	23,709	257,857	261,975	322,768	2,351,711
Development (70 percent)	8,960	28,910	29,108	35,861	270,219
Total State obligations	34,669	287,767	291,083	358,629	2,633,930
Estimated total Federal and State cost of program	75,669	502,992	512,083	601,629	4,628,930

¹ It is assumed the land and water conservation fund bill will become law before July 1, 1963, but the marine fuel tax would not become effective until Jan. 1, 1964. The proceeds from the sale of surplus real property would be available for the whole year, their crediting being merely bookkeeping. It is assumed that only about 12 percent of normal revenues from the marine tax would be collected during the remainder of fiscal year 1964 and that only about 25 percent of the estimated annual return from the auto sticker would be collected during this same period. This is not the period of heavy use, and the program is new. User fees are partially in effect now. It is assumed they can be standardized and put into effect for the whole year. The estimated 1st year revenue has been reduced by 15 percent to take care of administrative collection problems.

² The figures shown reflect reductions from gross receipts for: (1) GSA administrative costs, and (2) the increased sales to public agencies at a reduced rate.

³ 20 percent has been arbitrarily used for purposes of illustration. No yardstick for this diversion has been developed.

⁴ 10 percent of amounts appropriated annually during 1st 10 years for State purposes.

⁵ Assuming participation by all States.

Estimated Federal land acquisition needs for 10-year period under land and water conservation fund

	Acreage	Total cost	Cost per acre
National Park Service:			
Inholdings.....	411,000	\$102,545,000	\$250
Other.....	962,000	116,202,000	120
Subtotal.....	1,373,000	218,747,000	160
Sport Fisheries and Wildlife: Endangered species.....	1,899,000	132,374,000	70
Forest Service ¹	3,973,000	207,195,000	60
Grand total.....	7,245,000	558,316,000	75

¹ All inholdings.

EXPERIENCE WITH PARK STICKER PERMITS AMONG SELECTED STATES

MINNESOTA

In 1953, Minnesota pioneered the State park permit by enacting legislation which required all motor vehicles entering a park to have affixed to the windshield a sticker costing \$1 each. The sticker is good for use at any park during the calendar year in which issued. The law provided that all fees collected shall be deposited in a State park maintenance fund and used solely for maintenance and operation of State parks.

In 1955, the original act was amended to provide that the sticker be required at State parks, recreational reserves, and waysides having an area in excess of 50 acres. The sticker is placed on sale before October 1 of the preceding calendar year for which issued and valid from that date to end of the year for which issued. In addition, a special sticker is made available to any organization in minimum lots of 25 at 25 cents each and valid for a specified park or other recreational area for a specified period not exceeding 2 days.

A 1959 amendment changed the term "sticker" to the term "permit."

In 1961, a further amendment provided for an increase in the price of the annual permit from \$1 to \$2, effective October 1, 1961, the \$1 increase to be used for purchase of park lands and for capital park improvements. The 1961 amendment also provides for an optional 50-cent entrance permit, valid only for a specified park and for a designated period of not more than 2 days.

Receipts

1953.....	\$73,000	1958.....	\$134,752
1954.....	96,451	1959.....	141,754
1955.....	115,435	1960.....	141,138
1956.....	114,465	1961.....	142,097
1957.....	125,255	1962.....	¹ 147,833

¹ Of this amount \$97,478 resulted from the annual \$2 fee and \$50,355 from the optional daily fee. This reflects a drop of 11 percent in attendance due largely to poor weather. In 1963, total receipts from the two fees are expected to be \$180,000.

Administration.—The bulk of the permits are sold within the parks. Where volume of traffic warrants, full-time-permit salesmen are employed and stationed at entrance gates. If and when costs of sales exceed 10 percent, permits are sold periodically in parking areas during the day. If the owner of an automobile is not readily located, a courtesy violation tag is attached to the car door handle. These have been very effective.

An annual permit goes with the motor vehicle. If the vehicle is sold after the permit has been affixed, the new owner may use it; the original owner wishing to enter a park with another vehicle is required to buy another permit. If a person has two cars and wishes to use both of them for park recreation, he must have two permits.

Enforcement.—Willful violations of the permit act have been infrequent. Violators are given 10 days in which to comply with the permit requirement before a complaint is issued. Less than five arrests throughout a season are actually necessary to obtain compliance with the law.

Fiscal arrangements.—The act of 1953 provided for a loan of \$450,000 from the game and fish fund for the maintenance of State parks. Loan was fully repaid by July 1957.

The 1955 legislature authorized the issuance of \$525,000 in certificates of indebtedness, repayable from sticker receipts, with which to finance a continued program of park maintenance and operation. The certificates are to be redeemed in equal installments over a period of 10 years commencing with calendar year 1958. The credit of the State was pledged on these certificates of indebtedness, and they were sold to State trust funds at 1½ percent to 2½ percent rates of interest.

The 1961 legislature authorized a loan of \$135,800 from the game and fish fund for the purposes of land acquisition for State parks and capital improvement thereof. The loan is repayable from the receipts realized from the \$1 authorized increase in annual permits.

MICHIGAN

By an act of 1960, the State conservation commission is authorized to acquire land and undertake an improvement program for State parks under its jurisdiction as approved by the legislature in its annual capital outlay appropriation act. The act authorized the issuance of revenue bonds to finance the cost of such land acquisition and park improvement program.

Any motor vehicle entering designated State parks and recreation areas, or designated portion thereof, is required to have a permit affixed to its windshield. The requirement became effective January 1, 1961. Such permits are required only at those parks in which State facilities and services are provided for the public. State forest campgrounds, State game areas, and State public fishing access sites are specifically exempt from the permit requirement.

The permit costs \$2 and admits the vehicle on which it is posted to any designated park as often as desired. It is valid for the calendar year in which issued. An optional daily permit may be purchased for 50 cents and admits the vehicle to any park only on the date of issuance. The law specifies that the park entrance permit shall not obviate the necessity of obtaining additional permits for special services or park privileges as heretofore or hereafter may be required.

Receipts, sale of entrance permits

Year	Daily	Annual	Total
1961.....	\$233, 659	\$482, 608	\$716, 267
1962.....	222, 780	506, 314	729, 094

Other park fees.—At certain locations, a permit is required for each camp (tent, trailer, etc.) for which a fee of \$1 per day is charged. If electricity is used, an additional fee of 25 cents per day per camp is charged. Reasonable charges are made for use of bathhouses, ranging from 10 cents to 25 cents per person, depending on location.

Administration.—Annual permits are available through approximately 4,000 bonded dealers, such as regular fishing and hunting license dealers (who are permitted to charge an additional 15 cents to cover handling), all Automobile Club of Michigan offices, and at the parks themselves. The daily permits are dispersed through gate houses, vending machines, or by park personnel.

A brochure is issued listing the parks or portions thereof where an entrance permit is required. Of the 62 park areas under administration of the conservation commission, 7 areas are entirely excluded from requiring a permit and 16 areas require a permit in only the heavily used portion of the park or recreation area.

A person walking into a park entrance is not required to have a permit.

The actual records for the 1961 park season showed that of the total number of permits sold, 66 percent were daily permits and 34 percent were annual permits. Those purchasing annual permits visited the parks an average of 11.3 times. This accounted for the fact that 85 out of 100 visitors were annual permit holders while 15 out of 100 purchased daily permits. No repeat factor for the daily permit user is available inasmuch as there is no record of the person buying a permit nor any record of the car for which a permit is purchased.

Enforcement.—Enforcement is the duty of the State park officers and personnel. Violation of the motor vehicle entrance permit requirement constitutes a misdemeanor, which is punishable by a fine of not more than \$100 and costs of prosecution, or by imprisonment in the county jail for not more than 90 days, or by both fine and imprisonment in the discretion of the court.

In any proceeding for the violation of the permit requirement, the registration plate displayed on the motor vehicle constitutes prima facie evidence that the owner of the motor vehicle was the person who parked or placed it at the location where found.

Enforcement has not been a major problem. The great bulk of the attendance—83 percent—is in the 4 months of June through September, during which time the entrances are manned 7 days a week. In the other months, the full park staff is not available to man entrance gates, but the areas are periodically patrolled. If a vehicle is found without a permit and the owner is in attendance, he is asked to buy a sticker on the spot. If he is not in his car, a note is left asking him to pay the fee before leaving. If he leaves the park without paying and does not send in the fee within 4 days, a warrant is issued for his arrest.

Attendance at State parks during the first year of requiring the permit dropped 25 percent. Not all of this decrease in attendance, however, could be attributed to resistance to the motor-vehicle permit. The weather was particularly undesirable for outdoor recreation in the southern part of the State, where the greatest population is concentrated. Resistance to the permit during the first year of operation was found to be 14 percent. It is expected that the resistance will be overcome within 3 years.

Fiscal arrangements.—The enabling legislation authorized the issuance of revenue bonds in an aggregate principal amount of not to exceed \$10 million. On May 12, 1961, the Michigan Legislature approved the issuance of such bonds in an aggregate principal amount of \$5 million. The bonds bear interest up to 6 percent annually and mature serially in specified principal amounts each year through 1990.

The proceeds of sale of park entrance permits constitute the State park revenues which are deposited in a special account in the State treasury and pledged for the payment of the bonds. The principal and interest on the bonds are a first charge against the gross State park revenues, after deduction of necessary expenses of fiscal agent. No operation and maintenance are payable from these revenues, as such moneys come from other sources pursuant to annual legislative appropriation for such purpose.

WISCONSIN

The Wisconsin law, enacted in October 1961, requires a motor vehicle permit for use of a State park or developed portions of State forests for recreation purposes. For this purpose an annual permit costing \$2 must be purchased. An optional daily permit may be obtained for 50 cents. The daily permit is valid for any area for which a permit is required, but valid for 1 day only. Daily permits are available only for use from April 1 through October 31. The revenue from the sale of these permits is used primarily for operation and maintenance and is immediately available for expenditure.

Receipts.—Receipts from the sale of the permits amounted to \$186,000 in 1962, although the permit system was not fully effective until about July 15. It is anticipated that the receipts will increase during the next 3 or 4 years to about \$450,000 and level off thereafter.

Administration.—The daily permit is sold only at the areas where required, the annual permit at the same areas and also at the central office in Madison. In the parks, the permits are sold at parking areas or other places where a visitor may stop rather than at the entrance.

A permit is not required on a motor vehicle which is driven through the area without stopping. The park personnel patrol the area normally at two-hour intervals for the purpose of selling permits to visiting recreationists.

Enforcement.—There has been little resistance to the permit system. Only five letters of protest have been received at the central office.

In cases where a parked car is spotted without a permit and the owner cannot be located, a letter is sent to him explaining the permit system and asking him to remit. Compliance has been about 99 percent effective. In case of failure to remit, an arrest warrant is issued. No effort has been made to arrest out-of-state residents unless they return the following year and are recognized.

Fiscal arrangements.—In order to get the program started, the Wisconsin Legislature appropriated \$450,000 for operation and maintenance with the requirement that no more could be expended than was collected from sale of entrance permits. Any amount of this appropriation remaining unexpended at the end of the year is retained by the Wisconsin Forests and Parks Division for use to start the following year.

In addition, the State legislature in 1961 authorized the expenditure of approximately \$50 million over the next 10 years for an outdoor recreation and resource development program financed from a tax levied on the sale of tobacco products in the State. The purpose of this program is to promote, encourage, and coordinate a long-range plan to acquire, maintain, and develop for public use those areas of the State best adapted to the development of a comprehensive system of recreational facilities in all fields, including parks, forests, camping grounds, fishing and hunting grounds, scenic areas, waters and highways, boat landings, beaches and other areas of public access to navigable waters, and to facilitate and encourage the fullest public use thereof.

ILLINOIS

In 1957, Illinois enacted legislation authorizing a \$2 permit providing for entrance to any State park of 100 acres or more, or a 10-cent daily fee, the proceeds to be deposited in a State park fund and appropriated for land acquisition and permanent improvements. This park admission fee, however, was repealed in 1961.

Prior to the 1957 act, park admission fees were charged at seven State parks from 1953 through 1957. In 1958, park admission fees were charged at 24 State parks.

Receipts in each of the years 1953 through 1960 were as follows :

1953-----	\$45,000	1957-----	\$77,000
1954-----	88,000	1958-----	199,000
1955-----	91,000	1959-----	179,000
1956-----	88,000	1960-----	176,000

Repeal of the law appeared to be prompted in part by public resistance. Other factors appeared to be complexity of the law and difficulty in enforcement.

NEBRASKA

In 1957, Nebraska established a \$1 entrance permit with a provision that proceeds would be deposited in the State recreation ground fund. Annual receipts from this permit amounted to about \$65,000. The entrance permit, however, was discontinued—not repealed—in 1961 when the legislature increased the 1959 tax levy of .13 mills for acquisition and development of State parks to .30 mills. The revenue from this 10-year general tax program for park acquisition and development currently amounts to about \$1 million annually. It is contemplated that when the 10-year program has been completed the entrance permit will be reinstated and the proceeds therefrom used for operation and maintenance of State recreational areas.

Senator CHURCH. Are there further questions?

Senator GRUENING. Mr. Chairman, I have a letter here from Governor Egan of Alaska and commenting on this bill that I would ask to be put in the record.

Senator CHURCH. Very well, without objection the letter will be included in the record.

(The letter referred to appears with other State communications at p. 200.)

Senator CHURCH. Any other questions or insertions?

If not, gentlemen, Secretary Udall and Secretary Freeman, we thank you for your presentation this morning.

This has raised many questions that the committee will want to look at more thoroughly.

Without objection, we will put in the record a letter from Congressman Bernard Grabowski, of Connecticut.

(The letter referred to follows:)

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 7, 1963.

HON. CLINTON P. ANDERSON,
Chairman, Interior and Insular Affairs Committee,
Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: I wish to express interest in S. 859 and H.R. 3846, Land and Water Conservation Fund Act, presently before your committee for a hearing.

In the best interests of the people of Connecticut and our Nation as a whole, I firmly believe this measure should receive favorable consideration. Our water resources are without a doubt a large contributing factor to the industrial progress of our country.

Sincerely yours,

BERNARD F. GRABOWSKI,
Member of Congress.

Senator CHURCH. The hearing is now adjourned until 2:15 o'clock this afternoon, when we will resume on the bill.

(Whereupon, at 12:15 p.m., the committee was recessed, to reconvene at 2:15 p.m., the same day.)

AFTERNOON SESSION

Senator ALLOTT. The committee meeting will come to order.

The first witness is Perry H. Merrill, State forester, Association of State Foresters, Montpelier, Vt. I understand he was unable to fly in due to storms. His statement will be placed in the record at this point if he is unable to reach here while the hearings are in progress.

(Mr. Merrill's statement follows:)

STATEMENT OF PERRY H. MERRILL, NATIONAL ASSOCIATION OF STATE FORESTERS,
MONTPELIER, VT.

My name is Perry H. Merrill, commissioner of forests and parks for the State of Vermont, for which government I have been employed since August 1, 1919.

I am a member of the legislative committee of both the National Association of State Park Directors and the National Association of State Foresters.

I wish to speak in favor of the principles of this bill, S. 859. I need not take up your time in telling you of the need for this bill to help fill the void caused by the great public demand for out-of-doors recreation. One of our most pressing needs is the acquisition of land before the choice sites on lakes and streams are acquired for private development. Each year sees land values skyrocket. The pressure for camping is already here. In some States, people wait in lines beside the road overnight to get into a State park where they wish to camp.

There are many States like my own, where nearly 90 percent of our campers come from outside our State. Our State of Vermont has been trying to meet this outside camping demand by a \$1 million bond issue during each of the two past bienniums, and smaller appropriations before that. We have a limited income due to population and tax base smaller than some of New York's medium-sized cities.

In section 5C of S. 859, under matching requirements payments to States for acquisition and development are limited to not more than 30 percent of said costs, it is our feeling that this figure should be raised to at least 50 percent. Under the Federal Pittman-Robertson and Dingle-Johnson programs, the Federal percentage is 75, and 25 percent State.

The main cost of park development is in the construction of the facilities. I feel that more camping facilities can be encouraged in a shorter time by this greater percentage of Federal grants.

Some of the States have questioned section 5b(3), the one-fifth apportionment on the basis of need. This is a very difficult figure to arrive at. I feel that this figure should be determined by the representatives of the State agencies, as desig-

nated under section 5d(1) in cooperation with the Director of the Bureau of Outdoor Recreation.

Though I do not find it in this bill, I feel that there should be better planning for development among Government agencies, and their programs should be coordinated through the Director of the Bureau of Outdoor Recreation.

Senator ALLOTT. I will call Dr. Arnold Bolle, dean of the School of Forestry, Montana State University.

You may proceed, Doctor.

STATEMENT OF DR. A. W. BOLLE, DEAN, SCHOOL OF FORESTRY, MONTANA STATE UNIVERSITY, MISSOULA, AND PRESIDENT OF MONTANA CONSERVATION COUNCIL, MISSOULA, MONT.

Dr. BOLLE. All right, sir.

I have two printed statements, one as dean of the School of Forestry of Montana State University at Missoula, and the other as president of the Montana Conservation Council. I would review these briefly, without reading them in detail.

From the standpoint of the university, we are very much interested in this bill because we recognize the importance of recreation development in Montana. We are a supplier of recreation to the Nation as a whole. It is also our fastest growing industry, and it is practically unlimited, but so far its resources have been neglected and there has been little orderly development.

Montana is a State which is dependent on natural resources for development.

Senator ALLOTT. I wonder if you will pull over that other mike, Doctor, and see if we can get a little volume in here. I cannot hear you, and I do not suppose the people in the back can either.

Dr. BOLLE. We are very much interested in recreation development.

Is that better?

Senator ALLOTT. Not much.

Dr. BOLLE. I will try to speak up then.

What we are most interested in here is the fact that this bill provides for coordinated development of our natural resources. In Montana, we have been dependent on Federal development of our national parks and national forests. A recent study made by the bureau of economic research of the university showed that there was a lack of State action in recreation development.

We believe that this bill will put the State in a stronger position, and will require action by the State.

We are particularly interested in the effects of recreation development and, from the standpoint of the university, we see it as a field for important research and professional education.

The Montana Conservation Council is a citizens organization which represents all of our resources, such as wildlife, water, forests, recreation, and other industries in the State, both private organizations, associations, and State and Federal Government agencies. This particular council is interested in the orderly development of Montana's natural resources. We had an annual conference at Butte, Mont., last year, and this meeting was devoted to the development of recreation in the State of Montana.

The lack of State development was emphasized, and this group urged the establishment of a study of the problem in Montana, leading to a program for coordinated development.

This act, as we see it, would place the proper responsibility on the State and would lead to coordinated action, as needed.

We also endorse the idea of the self-financing provisions of this act. We believe this is in keeping with our general outlook if you take hunting and fishing as an example, where we now have free use.

I will agree with some of the statements I heard this morning about the feeling toward free use of these lands. I believe that this should be continued, except in areas of development; but we feel that unless there is money specifically allocated and a charge or a provision made to produce income for recreation development, with the competition for funds which appears to be increasing today both at the National and State level, recreation will continue to suffer from lack of funds.

Senator ALLOTT. Is that all?

Dr. BOLLE. That is all.

Senator GRUENING. Have you any questions?

Senator ALLOTT. I have no questions.

Senator GRUENING. Have you any questions, Senator Jordan?

Senator JORDAN. Yes.

We have heard testimony this morning that this legislation was primarily to provide an acquisition program. I might inquire of you as to what percent of the area of your State is federally owned?

Dr. BOLLE. I can't give you the figure exactly, but, of course, it is one of the States that has a higher percentage of Federal land. I would say about 30 percent.

Senator JORDAN. Do you think it is necessary to launch an accelerated acquisition program to get more land in Federal control in your State?

Dr. BOLLE. I believe that there is need for acquisition because the choice areas, or the choice recreation areas, are already being purchased and being bought up very fast. We have concentration areas where there is no or little public access at the present time—some of our choice lakes, for example. I believe there is need for acquisition here on the part of the State or Federal Government, possibly.

Senator JORDAN. For further acquisition, to put the Federal Government more in the landowning business in the State of Montana?

Dr. BOLLE. Well, I wouldn't put it that way exactly, perhaps. I believe that there is need for public access to some of our better areas in addition to what we have. Of course, we have some of our choicest lands in Federal ownership now in the national parks and in the national forests, but the valley bottoms generally are private lands, and some of the areas such as Flathead Lake. The lakeshore is pretty well purchased and there is almost no access, except for a few points for public use. Whether it should be Federal or State, I would not say. I should say it would depend on the individual situation.

Senator JORDAN. As a forester, would you see any advantage in the exchange of lands possibly to meet the requirements of the needs of this recreation proposal? Would there be any advantage necessarily to Montana to consider an exchange of lands, so that in the aggregate no more and no greater share is under Federal control?

Dr. BOLLE. I think this would be very helpful. There are many opportunities here where both recreational development and forestry and other natural resources would be helped by exchanges.

Senator JORDAN. On another subject, the matter of user fees, you say you like the self-financing features of this proposal. Do you agree with the Secretary that user fees should be charged—they were rather vague about the amount to be charged—but do you believe that user fees should be charged for the movement on public lands in the State of Montana?

Dr. BOLLE. No, I do not think I would broadly charge for all the use, or all movement of people across or through public lands. I think this should be restricted to two broad areas where some special costs and developments have been made and incurred, that is, some extra provisions. This, in my opinion, would be in isolated areas until more development came in, and it would be directly connected with development itself.

Senator JORDAN. This bill provides for the enactment of 10 percent for development purposes. Do you think that is a fair allocation for development?

Dr. BOLLE. Well, I suppose most of the Western States would like to see more. I suppose we have to recognize that a great portion of this would be entirely undeveloped lands, but even in Montana at the beginning it is perhaps important to emphasize acquisition, and then perhaps later there should be some change in it.

Senator JORDAN. That is all I have.

Senator ALLOTT. Mr. Chairman, I have a question or two I would like to ask this gentleman.

Senator GRUENING. All right, Senator Allott.

Senator ALLOTT. Dr. Bolle? Is that right?

Dr. BOLLE. Yes.

Senator ALLOTT. How long have you lived in Montana?

Dr. BOLLE. Well, I first went out there in 1933. I have been gone from there for some time, but I have been back now since 1955.

Senator ALLOTT. Where were you in the interim?

Dr. BOLLE. I was in Wyoming for about 10 years and I lived in Washington State and Oregon State, and then briefly on the east coast.

Senator ALLOTT. What has been the specific nature of your work, Doctor?

Dr. BOLLE. I have been in education since I have been back in Montana. Before that I was with the Federal Government in the Soil Conservation Service, and I was at one time ranching in Wyoming, briefly, both in cattle and dudes, but since 1955 I have been in education.

Senator ALLOTT. Is that your only experience, in dude and cattle ranching, where you were charged with the responsibility of balancing budgets for a business, or a State, or an organization?

Dr. BOLLE. That was the only time I was in business for myself, as such. Since then, of course, I have been in public work.

Senator ALLOTT. You testified for this bill. You testify, I presume, that you are for section 2, which says that:

There shall be set aside in a separate account in the Treasury of the United States, for subsequent division as prescribed in section 3 of this act, the following revenues and collections: (a) Entrance and user fees.

I guess during this morning's session when I was talking with my dentist, this was pretty well gone into.

The second subsection, (b), is surplus property sales. Do you know what surplus property is?

Dr. BOLLE. Well, I suppose generally.

Senator ALLOTT. You realize it is a capital asset? So you think we should sell the capital assets of the Federal Government and put it into this fund? Upon what possible accounting or economic basis can you justify such an action—either economic accounting, or political accounting, or sociological?

Dr. BOLLE. Well, it is maybe a little bit difficult to account for, except that it is a means of self-financing, I suppose. Perhaps short-cutting directly to this particular account might not be especially justified.

Senator ALLOTT. It is not justified at all. You can't justify disposing of the capital assets of the Federal Government to finance a recreation program, can you? How do you do it?

Dr. BOLLE. Well, I suppose anything—any account of the Federal Government—we are being theoretical here, I suppose—but certainly the public money is allocated from one source to another.

Senator ALLOTT. So the Federal Government is just one big pocket-book, as far as you are concerned. Is that right?

Dr. BOLLE. No, sir. Certainly not.

Senator ALLOTT. Here you are raising taxes on the other two. They are methods of raising money for the Federal Government. But surplus property sales are the capital assets of the Government. It would be just like chopping off a piece of your arm at a time and throwing it into the pot. I can't see how you can possibly justify it.

Did this ever occur to you, or did you ever question it?

Dr. BOLLE. I didn't write the bill, of course. I read this report and certainly it is being proposed, and it is up to Congress to decide how this money will be used.

Senator ALLOTT. You are here to testify and you testified completely in favor of the bill. Did you ever stop to think about this? Did you ever stop to realize we are going \$12 billion in debt this year? Did you ever stop to realize we are down to \$15.8 billion in our gold reserve, and that it takes \$12 billion of that to cover our currency, and that there are \$23 billion in demand obligations against the Federal Government from other countries which are redeemable in gold, and that against that we are running another \$12 billion deficit on top of the \$8 billion deficit, and now you come in and testify blithely for a \$60 million-a-year bill and you do not even consider that you are disposing of the capital assets of the Government to finance the bill.

How do you justify such a position as a citizen?

Dr. BOLLE. Well, the particular provisions in the proposal, it is certainly up to the Congress to decide how this is done. All I can propose is that this need exists and somehow it should be met. I think this is one item that has been neglected. I think it is an area we should consider and we need to do something in. I think it is very important that the various governments at various levels took some leadership in this program, because it has been neglected.

Senator ALLOTT. The State of Nevada, I think, has 87 percent Federal land, California has 37 percent, Colorado has 34 to 35 percent, Idaho has 65 percent, and Wyoming 51 percent. One of the main things here is to provide for additional land. I suggest, Doctor, you ought to do a little outside work in talking about financing your own State government and your own community, and you would find out then how difficult it is in these Western States, where the Federal Government owns most of the land, or a good share of the land, even to provide the ordinary common services that are necessary for the Western States.

I just cannot understand your coming in and saying, well, of course, these provisions are up to Congress. Of course, they are up to Congress. But I think if you come in here to testify for this thing, I think you would testify for anything regardless of what it is in the bill. If it was \$500 million a year you would testify for it in the same way, and I think without regard to what it means for the Federal Government.

Dr. BOLLE. I don't think so, sir. We are interested in this for a very solid reason in our State. In our State we are having difficulties and troubles with several of our main industries. Our agriculture is suffering. Our mining has been declining. Forestry has been increasing, but we can see that this is limited. It has been having real difficulties.

In our whole economic base there is just one industry that is increasing, and that is recreation. It is our third industry, producing about \$96 million a year. We figure that with no effort at all this will increase slowly. We have made a study, and certainly I cannot justify everything in it, but to the best of our knowledge we can increase it in 5 years to a \$250 million a year industry in our State.

We are very much concerned with the development of our State, and certainly in seeing that it becomes stronger and that we provide the kinds of services we need to do what we need to do in the State. We can take some leadership, but we are in a very poor position to do it. We feel with a program here we can do much more. That is why we are interested.

The exact financing provisions I had nothing to do with setting up, and certainly people who know much more about this did it, and certainly it will be reviewed. But the fact of this bill itself we feel is highly important to us and to our economy.

Senator ALLOTT. You think it is necessary that the Federal Government finance and develop tourist trade for Montana, Colorado, California, Nevada, Idaho, and the rest of the States? You think it is an obligation of the Federal Government?

Dr. BOLLE. No, I do not think it is an obligation.

Senator ALLOTT. That is what the bill says.

Dr. BOLLE. I think the Federal Government can do it better than we can do it alone. It is certainly a very strong obligation for the States and local communities, as well as the Federal Government, but I think the Federal Government has an important role to play because of the strong relationships that exist.

Senator ALLOT. I feel sorry for you people who cannot do anything without resting on the Federal Government. I think the States can do it a lot better and will do it a lot better if they will raise the money and use it.

That is all I have, Mr. Chairman.

Senator GRUENING. Are there any questions?

Senator Nelson, I see you would like to make a statement.

Senator NELSON. I want to say a word before Dr. Bolle leaves.

Senator Metcalf of Montana was not able to be here. I am sure he would say what I am about to say, which is that he would not like to have Dr. Bolle leave thinking nobody up here today supports this method of financing the program. I do, and many others.

Senator GRUENING. Our next witness is Mr. Charles H. Callison of the Audubon Society.

Mr. Callison, we are very happy to have you here.

STATEMENT OF CHARLES H. CALLISON, ASSISTANT TO THE PRESIDENT, NATIONAL AUDUBON SOCIETY, NEW YORK, N.Y.

Mr. CALLISON. Thank you, Mr. Chairman. I am very honored and privileged to have this opportunity to appear here. I have been in Detroit the last few days attending the North American Wildlife Conference and did not get a chance to prepare a statement, but I do have some information I would like to pass on to the committee, and I think I can state our general position on the legislation before the committee.

My name, for the committee, is Charles H. Callison. I am assistant to the president of the National Audubon Society. My office is in New York City.

Mr. Chairman, the National Audubon Society supports this legislation.

A little more than 2 years ago the president of the National Audubon Society proposed that there should be a new stamp, a new kind of Federal stamp for public use for the wildlife refuges. He also proposed it as a means of supplementing the revenues available for the acquisition of wildlife lands now through the sale of the migratory bird hunting stamp commonly known as the duck stamp.

This proposal by Mr. Buckheister, president of the society, was presented at the society's national convention in the fall of 1961, where it met with great enthusiasm. Subsequently it received much applause and a good deal of publicity and no opposition from the members of the National Audubon Society, many of whom pursue the hobby or recreational interest known as bird watching. They use the national wildlife refuges a great deal in the practice of this hobby or interest; that is, nature study and bird watching. They also go on to other Federal areas, but they have a particular interest in the national wildlife refuges.

A proposal was subsequently drafted as legislation and was introduced in the House of Representatives by Congressman John Dingell, of Michigan. Again it was widely applauded and supported. The proposal was for a \$2 per year stamp which would serve as a tax for recreational use of the national wildlife refuges. Duck hunters would not be required to buy that because they buy the duck stamp as a hunting license and this would admit their people to the refuges so they would not have to pay twice. There is public hunting on a number of national wildlife refuges.

I pass this along because I think it is an indication that the public will accept the proposed user fee plan in the recreational use of our Federal land and water areas that are valuable for recreational purposes.

Very shortly after Mr. Dingell introduced the legislation in the House of Representatives, the concept of the user stamp, of general user fees, was proposed in connection with the recommendations of the Outdoor Recreation Resources Review Commission. In a sense it encompasses our idea of the National Audubon Society on a bigger scale. So we have not pursued this proposal awaiting the outcome of this legislation, and Mr. Dingell has not pressed it in the House.

I give you that information and I want you to know we do endorse as an organization the proposed programs and the proposed method of financing in the legislation before this committee. We are pleased that it contains a provision that some of the money could be used for the acquisition of lands needed for the preservation of endangered species of wildlife, which was a specific proposal included in Mr. Dingell's bill, and we are pleased that it was picked up and incorporated in this legislation.

I think that concludes my extemporaneous statement, Mr. Chairman, and again I thank you very much for the privilege of being here.

Senator GRUENING. Thank you, Mr. Callison.

Senator JORDAN, have you any questions?

Senator JORDAN. No questions.

Senator GRUENING. Senator Simpson.

Senator SIMPSON. Mr. Callison, I am sorry, but I do not quite get the distinction between your proposed user stamp and the duck stamp. What is your point there? I don't get it.

Mr. CALLISON. The duck stamp, Senator, is the migratory bird hunting license.

Senator SIMPSON. Yes.

Mr. CALLISON. And it is required of anyone who hunts wild ducks or geese.

Senator SIMPSON. Even the Justice of the Supreme Court, Mr. Vandevander, should have it.

Mr. CALLISON. That is right. Our proposal was for a use stamp for others who used the national wildlife refuges for recreational purposes, but not for hunting purposes. You see, there are a great many people who visit the refuges to study nature. Some go there for fishing, and some go for picnicking, and so forth. One very spectacular example is the public visitation that occurs through the winter months at the Aransas National Wildlife Refuge in Texas, which is the winter home of the whooping cranes. Literally hundreds of thousands of people go to Texas, or, while they are in Texas, will make a side trip in the hopes of seeing one of the rarest and most spectacular birds in the world.

Senator GRUENING. Senator Dominick.

Senator DOMINICK. Mr. Callison, I want to preface my remarks by saying that most of my family have on some occasions been members of your organization, and I have enjoyed many dinners and many movies myself, and I think you do a tremendous job.

Mr. CALLISON. Thank you, Senator. I will say that I know of the interest of your family and your own interest in the conservation work of the National Audubon Society.

Senator DOMINICK. This is why I wanted to ask you some questions on this.

This bill, in fact, is much, much broader than the proposal that the Audubon Society put up, is it not?

Mr. CALLISON. That is true.

Senator DOMINICK. Your bill covered only, as I understand it, people who went into wildlife refuges for nonhunting and nonfishing purposes.

Mr. CALLISON. It would have included the fishermen who do not pay a special fee, or buy a special license, but hunters who now buy the duck stamp would not be required to.

Senator DOMINICK. But you did not foresee this expanding into a sort of food stamp proposition, where you had to buy a stamp in order to go through public lands of any kind?

Mr. CALLISON. Senator, our proposal was restricted to the national wildlife refuges because of the interest of our organization in wildlife and in the refuge system, and because we saw the need for additional funds to acquire critical areas of wildlife. We think we will have to set aside some areas if we are going to keep the bald eagle, which is in serious condition in some parts of the country. I hasten to add, not in Alaska, if Senator Gruening is still here, but I see he has gone out temporarily.

Senator DOMINICK. I am somewhat concerned over the scope of this bill. I think your thought of charging people with a particular interest of this kind for the use of an area which has been set aside by the public at large is fundamentally very sound, but I am concerned over saying to everyone who wants to go into any portion of the public lands, as such, that they have to be charged a fee. I think we are going pretty far on that.

One of the reasons why I would like to make some comments on this is that it seems to me the great portion of the fees are going to be derived from the western lands for the benefit of the Eastern States. I have no objection to this in particular if we are going to do it more equitably, or if this is going to be for the benefit of everyone; but it seems to me that the Western States, with a large portion of the public lands which they have, will automatically by virtue of this have a decrease in the tourist industry coming to their places, because of the charges, and they will bear far more of a share of this burden than their population and size would warrant.

Do you have any comments on this philosophy?

Mr. CALLISON. Senator Dominick, I would comment on that to this extent: I think this would bear looking into because I should not be surprised that the public visitation to the national forests and national parks and the Federal reservoirs in the Eastern States would exceed the total numbers of visits to the Federal areas in the Western States; and I think it also might be taken into consideration that a great many of the Federal recreation stamp users who would be visiting your splendid areas in the West, such as the Rocky Mountain National Park and some of your great national forests in Colorado, would come from the East.

I would question that you would discourage very many of them from making those visits.

Senator DOMINICK. Do you know whether we have any breakdown on those figures? It is quite interesting.

Mr. CALLISON. No, I don't. The thought had not occurred to me and your question brought it to mind. I think it would be interesting to get some kind of analysis, and I think you would be surprised, because I have seen these tremendous figures of 4 million in the recreational use of our reservoirs.

Senator DOMINICK. I want to comment that I have a friend who figured out one time that in order to drive from his home to the airport and to fly to the western slope of Colorado and go fishing in the national park, had already required the use of 23 different types of licenses in order for him to do it. I kind of hesitate to put another one on for the benefit of a guy to go fishing.

That is all.

Senator NELSON. Are there any further questions?

Mr. CALLISON. Thank you. Again thank you for this opportunity to express our views.

Senator NELSON. We appreciate your coming.

Mr. Penfold.

STATEMENT OF JOSEPH W. PENFOLD, CHAIRMAN, CITIZENS COMMITTEE FOR THE OUTDOOR RECREATION RESOURCES REVIEW COMMISSION REPORT, BY FRANK GREGG, EXECUTIVE DIRECTOR

Mr. GREGG. Thank you, Mr. Chairman.

I should explain first that I am not Mr. Penfold. My name is Frank Gregg. I am executive director of the Citizens Committee for the Outdoor Recreation Resources Review Commission Report.

The committee is composed of private citizens, including the seven Presidential appointees who served on the Outdoor Recreation Resources Review Commission, and was established and is maintained for the specific purpose of helping to encourage public understanding of the Commission's report, and to assist generally in accomplishing its aims and purposes.

Laurance Rockefeller, who was Chairman of the Commission and is honorary chairman of the committee, has sent a kind of circuitous message to the committee from an unlikely named place—Arusha, somewhere in east Africa—to say that he would like to be associated with the statement that the committee is presenting, and to express in general terms his support for the legislation which is before you.

Joe Penfold, who had intended to present this statement, has not been in the best of health, as you know, and is home resting up for a few days from the effects of having worked too hard recently.

I would very much appreciate the committee inserting the text of Mr. Penfold's statement in the record at this point and permitting me to comment orally.

Senator ANDERSON. Without objection, that will be done.

(Mr. Penfold's statement follows:)

STATEMENT OF JOSEPH W. PENFOLD, CHAIRMAN, CITIZENS COMMITTEE FOR THE OUTDOOR RECREATION RESOURCES REVIEW COMMISSION REPORT

Mr. Chairman, I am Joseph W. Penfold, chairman of the Citizens Committee for the Outdoor Recreation Resources Review Commission Report. The committee is composed of private citizens, including the Presidential appointees to the Outdoor Recreation Resources Review Commission, and was established on January 31, 1963, to encourage public understanding of the Commission's report

and to assist generally in accomplishing the aims and purposes of the report. The committee appreciates the invitation to express its views. Mr. Chairman, we are considering today a specific proposal to authorize and finance a program of Federal financial assistance in the field of outdoor recreation, and to provide funds for recreational land acquisition by the Federal Government. S. 859 would authorize the most intensive effort in the Nation's history to provide outdoor recreation opportunities for the American people.

Briefly, the bill:

1. Dedicates certain sources of revenue, estimated to yield initially \$147 million per year to the program.
2. Authorizes use of an unspecified amount of the revenues to help offset cost of recreation land acquisition at Federal water projects.
3. Establishes a land and water conservation fund, consisting of a share of dedicated revenues plus general appropriations averaging up to \$60 million annually for 8 years.
4. Authorizes appropriations from the fund for—
 - (a) Grants to States for recreation planning, land acquisition, and development (45 to 75 percent).
 - (b) Acquisition of lands within national park and related areas and national forests, for refuges for preservation of endangered species, and for incidental recreation development at wildlife refuges (25 to 55 percent).
5. Provides for repayment from dedicated revenues of appropriations from general Treasury funds after 10th year of program.

Mr. Chairman, we find the program proposed by S. 859 to be with certain important reservations, responsive to the recommendations of the Outdoor Recreation Resources Review Commission. Attached to this statement is an analysis of the bill and a brief comparison of its provisions with the ORRRC Report.

More important than the details of the proposed legislation, perhaps, is a test of the validity of the assumptions upon which we assume it to be based. I would like to discuss these assumptions briefly, drawing heavily upon ORRRC's findings:

1. Outdoor recreation opportunity is important to the American people

Unless this assumption is valid, the kind of effort that is proposed by the land and water conservation fund bill would be indefensible. The Outdoor Recreation Resources Review Commission reported that something like 90 percent of the American people participate in some form of outdoor recreation. And CORC—as we find it convenient to identify our committee—commends specifically the following extracts from the Commission's report in the chapter on "The Outdoors in American Life":

"Leisure is the blessing and could be the curse of a progressive, successful civilization. The amount of leisure already at hand is enough to have made many Americans uneasy. Ours is a culture that has always been inclined to look upon idle time with some misgivings for reasons that trace to the Puritan tradition of industry, but which spring also from the historic and very practical need for hard work in the building of a nation. Certainly a substantial adjustment in perspective will be required as we move into a period in which the leisure available to all citizens may be greatly increased.

"In any event, most Americans face the prospect of more leisure time in the future, and thus the challenge of using it for their own enrichment and development as individuals and as citizens. This is precisely the contribution that outdoor recreation can make * * *.

"* * * As long as the activity is freely chosen—because it is refreshing and interesting to do—then it serves the basic function of "recreation"—of the task of re-creating human vitality. Latent energy is tapped, unused powers of the body, mind, and spirit are employed, the imagination works on fresh material, and when all these things occur, the individual returns to his work with a sense of renewal."

"* * * The fact that we live in a world that moves crisis by crisis does not make a growing interest in outdoor activities frivolous, or ample provision for them unworthy of the Nation's concern * * *."

In the bill establishing the Commission, the Congress described its purpose in this fashion:

"* * * to preserve, develop, and assure accessibility to all American people of present and future generations such quality and quantity of outdoor recre-

ation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural, and physical benefits that such outdoor recreation provides * * *."

2. *The individual citizen cannot provide his own outdoor recreation resources*

If the test of responsible government is that it should do those things which the people cannot do for themselves, then providing outdoor recreation opportunities is clearly a governmental responsibility. No individual citizens could preserve a Yellowstone or a national forest system or a species of endangered wildlife, or even, except under the most unusual circumstances, provide for his family those opportunities which are furnished by local parks, local playgrounds, State parks, or other kinds of public recreation resources.

3. *Public needs require planning, land acquisition, and development by all levels of government*

ORRRC found that while population may double by the year 2000, demand for outdoor recreation will at least triple. Meeting needs of our largely urban population—in all sections of the country—requires careful planning, accelerated acquisition of lands and waters, and more intensive development of present areas. The land acquisition need includes, but is not confined to, urban open space.

Required also is acquisition and development of areas providing a balanced range of recreation opportunities, including the best quality natural environment areas available, within reasonable distance of urban dwellers; and the preservation of outstanding scenic, scientific, primitive, and historic areas wherever these are found.

ORRRC gave special urgency to the need for acquisition of outstanding natural shoreline areas by Federal and State Governments, and emphasized also the need for preservation of certain stretches of rivers in natural condition and the acquisition of adequate recreational lands at Federal water projects.

The need for comprehensive planning and for more intensive development of existing areas is universal.

By authorizing a broad program of Federal financial assistance, and by providing funds for acquisition of newly authorized areas of national significance by the National Park Service, important inholdings within existing national park areas and national forests and certain wildlife refuge lands, S. 859 would indeed "assist the States and Federal agencies in meeting the outdoor recreation demands and needs of the American people * * *."

5. *The magnitude of the job requires Federal financial assistance*

ORRRC emphasized the difficulty of adequate financing for recreation:

"Lack of adequate funds for outdoor recreation is a serious problem. Public agencies find park and recreation appropriations among the last to be considered in budget discussions and among the first to be pared down.

"Two major needs stand out. First, to provide adequate outdoor recreation opportunities, substantial additional funds will be needed at all levels of government for planning, acquiring, developing, operating, and maintaining facilities. Second, public investments will have to be geared more accurately than in the past to meet current needs and emerging requirements * * *."

"* * * The provision of basic recreation opportunities for all citizens is an essential public service and deserves full consideration in budget decisions * * *."

"State and local governments, in particular, have pressing financial responsibilities that must be met if the recreation needs of the public are to be served. Today, outdoor recreation is far down on the list of public services competing for State and local tax dollars * * *."

ORRRC concluded that a sound program of assistance to the States would stimulate, not replace, State or local action. In recommending Federal assistance the Commission noted:

"* * * State performance in outdoor recreation has been uneven. Some States are expanding their outdoor recreation programs, but progress has been slow in many areas. The proposed grant program would encourage action on both State and local problems. In the fields of fish and wildlife management, forest-fire control, timber management, water-pollution control, and hospital construction, Federal-aid programs have proved successful stimulants to State and local action. The recommended grants-in-aid program for outdoor recreation would have a similar effect."

6. *Recreation users should contribute to the support of outdoor recreation programs*

ORRRC recommended that "public agencies supplying outdoor recreation opportunities should adopt a system of user fees and charges."

Mr. Chairman, on the basis of these assumptions, CORC would like to make some specific comments.

Section 1(b) : We would prefer to see the purpose of the bill include the terms used by the Congress in the act establishing the Commission, which are quoted earlier in this statement.

Section 2 : Subsection (a) of this section, authorizing establishment of fees on Federal areas, implies a dramatic change in Federal policy.

The out-of-doors, of course, has not been free. Federal recreational lands and facilities have been provided at substantial cost out of regular tax revenues.

Nonetheless, genuine and entirely spontaneous grassroots opinion will be aroused by user fee proposals.

The Commission recommend that fees should be charged for those activities which involve exclusive use of facilities, or which require the construction of specialized facilities. Other activities should be made available free of charge or " * * * at a fee low enough to insure that no citizen would be precluded from enjoying them because of inability to pay."

The Secretary of the Interior has suggested the possibility of an annual auto windshield sticker required for recreational use of Federal land and water areas.

The Commission commented favorably on auto stickers as a means of financing State recreation programs. The sticker may be also a reasonable means of helping offset the costs of Federal recreation program. At the \$3 or \$5 rate discussed by the administration, the price of the sticker would represent a modest portion of the annual cost of operating an automobile, or of a year's outdoor recreation activities for a representative family. Such a sticker would not appear to preclude recreational use of the Federal areas by auto owners because of inability to pay.

Charges for use of developed facilities on Federal areas is consistent with the Commission's findings. We hope that the Commission's recommendation that uniformity in fees be established among agencies on the same level of government and among different levels of government will be kept in mind as a fee system for Federal areas is developed.

We note also that a uniform fee system for public areas should increase the attractiveness of private investment in outdoor recreation facilities.

Subsections (b) and (c), specifying revenues from surplus real property sales and certain Federal gasoline taxes as sources of support for the program, appear to be appropriate.

Section 3 : A portion of the revenues committee to support of the programs authorized by this bill is properly applied to helping offset the costs of acquiring lands for recreation and fish and wildlife enhancement at Federal water projects.

Federal water projects provide recreational opportunities of the first magnitude. CORC supports with enthusiasm the joint policy of the Department of the Interior and the Department of the Army that sufficient lands around these water projects should be acquired to provide optimum public recreational and fish and wildlife benefits.

We are also gratified that, under new standards published by your committee in 1962 as Senate Document 97, recreation and fish and wildlife are considered on a comparable basis with needs for irrigation, power, flood control, navigation, and other benefits. ORRRC recommended such action.

We agree with the implication in the bill that recreation revenues should be used to help offset recreation land acquisition costs at water projects. At this time, there is no history of constructing Federal impoundments exclusively for recreation. Whether there is to be a specially financed recreation effort as proposed by S. 859, the Federal Government has a clear responsibility (shared wherever possible with State or local governments) to provide for development for the public or outdoor recreation potentials which are created by public investment in water projects. We question whether Federal recreation expenditures incurred as a result of programs designed to meet other needs should have equal claim to revenues authorized by this bill as do programs directed primarily at meeting recreation needs.

The degree to which recreation and fish and wildlife land acquisition costs at Federal projects should be offset by the revenues specified in S. 859 will require careful analysis.

Since recreation and fish and wildlife are to receive coequal consideration with other values in project planning, design, construction, and operation, it is appropriate that benefits produced be reflected in general policies on cost allocation and reimbursement. ORRRC accepted this, and cited a need for further study to provide a rational basis for decisions in this field.

Existing congressional policy recognizes—in flood control, pollution dilution, and fish and wildlife enhancement—that costs incurred for widespread public benefits may properly be nonreimbursable. The Congress may wish to consider this policy in regard to recreation benefits.

Section 4(a): ORRRC emphasized strongly the pivotal role of the States in outdoor recreation.

S. 859 provides for transfer of a portion of the specified revenues into the Treasury for land acquisition around Federal reservoirs. It provides also for a basic 60-percent State and 40-percent Federal division of the resources of the fund, with 15-percent latitude permitted in either direction.

It is entirely possible that the States might well receive substantially less than half of the total amounts authorized by the bill. In order to assure that the bill meets the prime need of stimulating State programs, CORC suggests that it would be desirable to assure that at least one-half of the total amounts available to the program, from specified revenues and from appropriations against the advance authorization, be available for appropriation for State purposes.

Section 5(c): The citizens committee questions the practicality of a 30-percent Federal cost share on approved acquisition and development projects.

The Housing and Home Finance Agency's grant program provides for a basic 20-percent Federal cost share, and 30-percent in the case of acquisition consistent with metropolitan area plans. In spite of a tremendous amount of interest on the part of local governments, the program to date has not apparently provided the degree of incentive which was expected at the time of its approval by the Congress. (We note that there is now legislation before the Congress to increase the Federal share in urban open space grants.)

The Outdoor Recreation Resources Review Commission (ORRRC) recommended a Federal cost share of 40 percent for acquisition and development projects as a figure which would place the primary burden on the States, yet would be high enough to provide a powerful incentive. ORRRC also recommended a 50-50 Federal-State cost share on interstate projects as a device for encouraging interstate cooperation.

Because of the critical importance of sound planning to the effective use of Federal assistance, we commend to you ORRRC's recommendation for Federal assistance in planning beginning at 75 percent.

Section 5(e): CORC believes that the limitation on development grants is a very serious weakness of S. 859. ORRRC noted repeatedly that outdoor recreation opportunity is as much a product of better use of existing resources as it is of additional acquisition. This is obviously true in portions of the West, and it is true in other sections of the country where existing State and local park, forest, wildlife, and water areas are inadequately developed for public use.

Placing a limitation on development may have the effect of distorting the State programs in the direction of land acquisition.

Since the bill provides that each State is required to prepare a comprehensive outdoor recreation plan as a condition of receiving grant moneys, for acquisition or development projects, it is our view that each State should be permitted to use its apportionment to meet its needs as indicated by its approved comprehensive plan. In other words, if a State plan shows a need for development substantially in excess of acquisition needs, it is in the public interest to permit the use of its share of the fund accordingly.

Section 5(f): We assume that the wording of this section makes it clear that the States may transfer Federal funds to counties and other political subdivisions for projects which are consistent with State plans, and that the political subdivision may provide, or assist the State in providing the matching moneys.

Section 5(g): CORC suggests the importance of guidelines on the relationship between the grant program for recreation land acquisition and development authorized by this bill, and the urban open space grant program of the Housing and Home Finance Agency.

Both programs are necessary if outdoor recreation needs are to be met.

Mr. Chairman, we wish to congratulate the sponsors of this measure. It is a responsible proposal.

On balance, and noting the differences discussed above, it is clear that the proposed bill is substantially responsive to the Outdoor Recreation Resources Review Commission's findings:

1. That increased public investment by all levels of government is essential to providing adequate outdoor recreation opportunity for the American people;
2. That a system of user fees and charges should be adopted;
3. That the States occupy a pivotal role in outdoor recreation, and that county and municipal governments also have great and only partially met responsibilities;
4. That a broad program of Federal assistance for recreational planning, land acquisition and development is necessary to stimulate a sharp expansion of effort by State and local governments;
5. That there is continued need for strong Federal programs, particularly in acquiring natural shoreline areas, reservoir land, and preserving scenic areas.

You will note, Mr. Chairman, that we have said little about the sources of funds.

The Commission recommended that Federal assistance be provided out of regular annual appropriations. It did so because of its conviction that outdoor recreation is sufficiently important and its benefits sufficiently widespread to merit Federal participation through the regular appropriations processes.

CORC shares this view of the importance of an adequate outdoor recreation opportunity. We have no objections to the financing methods proposed by the bill. On the contrary, assuming that special financing is wise, we find the revenue sources appropriate.

And in any case we yield—as did the Commission—to the judgment of the Congress in the matter of financing.

The thrust of our remarks is that much more needs to be done by all levels of government, if the outdoor recreation needs of the American people are to be met. The land and water conservation fund bill provides the basis upon which the Congress can see that this opportunity is realized.

Senator ANDERSON. Go ahead, Mr. Gregg.

Mr. GREGG. The provisions of the bill have already been well established by earlier witnesses, and I will skip them.

I think more important than the details of the bill that we are talking about is a test of the validity of the assumptions upon which we assume it to be based.

I would like to discuss these assumptions briefly.

First, we assume that outdoor recreation is important enough to the American people to warrant the kind of program we are talking about. If it is not that important, the Congress will give no consideration to a proposal of this magnitude.

The Outdoor Recreation Resources Review Commission found that recreation is not a frivolous part of the lives we live, and that it warrants the active and increased support of all levels of government, as well as private citizens.

I commend to you specifically the chapter of the Commission's report on the place of the outdoors in American life which sets forth in very persuasive terms the importance of outdoor recreation to our people.

Another basic assumption, I think, is that the people themselves cannot provide their own outdoor recreation opportunities.

The individual cannot provide the kind of opportunities for his family which are provided by parks and forests and wildlife refuges, and so on. We assume, and I think correctly, that better planning,

land acquisition and more intensive development of existing lands are all necessary to provide for accelerating recreation needs.

This bill clearly assumes the job cannot be done by State and local governments—another basic assumption.

We studied this matter very carefully, and it is the central point before your committee. State and local governments must bear the principal cost of meeting the outdoor recreation needs of our people.

We note that getting adequate public moneys for outdoor recreation has been a historic problem throughout the life of this country at State and local as well as Federal levels. The fact that we are dealing with a great gap between recreation demand and supply is a reflection of the inadequate support that has been given to recreation.

The grant-in-aid program that the Outdoor Recreation Resources Review Commission recommended was not seen as an attempt by the Federal Government to assume responsibilities better emphasized by the States. The Commission based the recommendation on the assumption that a sound Federal grant program would stimulate and encourage and assist States and local governments to assume what is basically a State and local responsibility.

Finally, we assume that recreation users should pay a part of the cost of outdoor recreation programs.

Mr. Chairman, the committee I represent has studied these proposals carefully and finds these assumptions are valid. On that basis we have a few suggestions to make on the bill.

It is obvious from the course of the hearing that the principal attention of the committee will be directed to the problem of user fees. What we are talking about is very clearly a dramatic change in Federal policy. We are talking about imposing here a direct tax on the user, and there is no doubt that genuine and entirely spontaneous public reaction will greet any proposal to charge people specifically for the use of the outdoors.

As a general rule, I think you will agree with the contention of the Outdoor Recreation Resources Review Commission that fees should be low enough to insure that no citizen would be precluded from enjoying the Federal areas because of inability to pay. It is a basic principle.

There is a point which you discussed this morning at great length, namely, the conservation sticker. This is the only item in the way of a revolutionary proposal, if it can be described as that, in this bill. The Secretary of the Interior has discussed at various times \$2 and \$3 and \$5 as a possible level for a sticker to apply only to automobile owners—to people who can afford to own, operate, and license an automobile. Such a fee would not preclude automobile owners from enjoying the outdoors.

I would like to comment on the feeling of those of us from the West have that the proposal puts an inordinate share of the burden on the West, because of the existence of the large public land areas there. You might be interested to know, and this is a great surprise to all of us, that the greatest number of visits to any type of Federal land or water area made for outdoor recreational purposes is not made to the national parks or forests, but to the reservoirs operated by the Corps of Engineers. These are concentrated largely in a strip ranging from Texas around the Gulf of Mexico and up the Atlantic coast.

So actually the fact of the imposition of the stickers at the Federal reservoirs, it seems to us, serves to help equitably distribute the sharing of the fee costs across the country.

You have made it very clear that any violent departure of Federal policy in user fees has to be prudent, and I would like to suggest it would be impossible to ask the American people to pay for the use of land which they feel that they do already own, unless they understand very clearly the fees they are paying are going to be used to enhance their own outdoor recreation opportunities. It is an educational process, and not a law-enforcement process. Therefore, any decision you may make on a sticker will require an educational job in which you begin in a small way and proceed with prudence. If the program is sound and beneficial to the people, support for it will develop.

We concur in suggestions of members of the committee this morning that some specifics are appropriate and probably necessary for you and the general public to arrive at a final judgment as to the appropriateness of fees which may be imposed after the passage of this bill.

I would like to point out one thing about fees on Federal land areas. The fact that the Federal and State areas are free in many parts of the country operates unfairly against private investment in providing outdoor recreational facilities. A private operator who wants to develop a campground, a picnic ground, and fishing lakes or other facilities on private lands for public use to be operated at a profit, is handicapped in many parts of the country because of the existence of large, free public recreation areas. A very substantial part of the burden of specialized facilities can be borne by private investment.

The pivotal role of the States in outdoor recreation, of course, was a central finding of ORRRC, and our committee finds some weaknesses in the bill before you in this regard.

I do not think it is accurate to say that the bill as it is presently written makes it clear that the States are going to get the majority of the moneys that might be authorized by this bill, because the bill provides a portion of the receipts that come into the program shall go into miscellaneous receipts of the Treasury to help offset the acquisition costs at reservoirs and then provides that the State-Federal split of the remaining amounts shall be 60-40, with a variable of 15 percent either way.

In other words, the State's share can be as little as 45 percent out of the land and water conservation fund after an amount has been taken off the tax for the Federal reservoir land acquisition program. If the program that would be authorized by the bill is to be consistent with findings that the principal responsibility is the States, then you may wish to consider amending the bill to provide that not less than half of the total revenues, not just those in the fund, should be earmarked for the State program.

We have some doubts that the Federal cost share is adequate to encourage the States to do the job we are thinking of. This bill proposes that the Federal Government pay 30 percent of the cost of acquisition and development projects, with the State paying 70 percent.

The Housing and Home Finance Agency has a grant program for open space which specifies a basic 20-percent Federal contribution. We note that the sponsors of the original urban open space grant legislation are back in the Congress now with legislation which would increase the Federal cost share to 30 percent in some cases, and 50 percent in a substantial number of cases, because they found a 20-percent grant was not sufficient to get the cities moving more quickly in the field.

The Citizens Committee for the Outdoor Recreation Resources Review Commission Report feels very strong that the limitation on development in this field does violence to the findings of the Outdoor Recreation Resources Review Commission.

The Commission did not find that the greatest need is necessarily for acquisition; the Commission found needs for outdoor recreation in many parts of the country, and not just in the West, can be very effectively met and most economically met by making better use of existing land resources. Even in Eastern States we have State parks and forests, and county parks and forests, and scattered national forest holdings, and, very importantly, we have a lot of Federal water impoundments, which are not fully developed.

In many cases the State is the agency which actually develops the recreation facilities of the Federal reservoirs through numerous agencies.

We do not concur on the limitation on development grants. I have a suggestion, if you wish to have it, as to how this might be corrected.

Each State is required by the terms of the bill to prepare a comprehensive plan. In other words, each State plans its own needs. We see no reason for putting any limitation on either acquisition or development in the bill. If the plan for the State of Wyoming shows the principal need is for development, and this constitutes 90 percent of the apportionment Wyoming would receive under this bill, it would then spend 90 percent for development. On the other hand, if another State like New Jersey, for example, has a desperate need for land acquisition, let New Jersey spend the money in accordance with its needs as determined by the plan they have prepared.

It seems to me this is the kind of flexibility we need, and it would be the most useful.

We would like to congratulate in general the sponsors of this measure. We think it is a responsible proposal. With the differences noted, and some of them are important, we think it could be excellent. We think the proposed bill is substantially in accord with the findings of the Commission. It is in accord with the Commission's findings that more tax money will have to be provided by all levels of government if outdoor recreation needs are to be met.

It carries out Outdoor Recreation Resources Review Commission's recommendation that a system of user fees and charges should be imposed.

It recognizes the Commission's finding that the States occupy a pivotal role.

It would carry out Outdoor Recreation Resources Review Commission's recommendation for a broad program of Federal assistance. It recognizes that there is need for additional Federal land acquisition, particularly in the case of high quality shorelines areas of the type

the Congress specified in the Point Reyes bill, in lands around Federal reservoirs, and certain scenic areas not yet protected. Outdoor Recreation Resources Review Commission recommended such Federal acquisition.

The Outdoor Recreation Resources Review Commission recommended that the Federal assistance program should be paid for through the regular appropriations process. The Commission made this recommendation because it felt very deeply that outdoor recreation is important enough to the American people that it ought to get favorable consideration from the Congress in the same forum in which you have to meet needs for national defense, health, education, and so on.

Our committee shares this view on the importance of an adequate outdoor recreation opportunity. We have no basis for a judgment as to the amount of money authorized in the bill. We have no particular objection to the method of financing proposed by the bill.

We believe it is accurate to say that the consensus of the members of the committee, as expressed in the report of the Outdoor Recreation Resources Review Commission, is that annual appropriations would be the ideal way to finance this program. If the Congress decides another way is better, that is fine. We make no claim to being experts on public finance, and we yield to the Congress, as did the Commission, on this decision.

What we really have to say, Mr. Chairman, is that more needs to be done in outdoor recreation. Its importance warrants our consideration and our responsible attention. We think the bill before you has within it the elements by which we can see that adequate outdoor recreation opportunities are provided.

Senator JORDAN. Thank you, Mr. Gregg, for a very comprehensive statement of the position of your organization. I may comment I note you differ somewhat with Secretary Udall's testimony here this morning when he said that this was primarily an acquisition program. You now tell us you think the emphasis would not be to the same degree that he has put it on acquisition. You like the idea of a little more emphasis on the development aspects of the program, and yet the bill minimizes the development aspects, Mr. Gregg, but you still like the bill, even though it is topheavy to acquisition.

Mr. GREGG. No, sir. We specifically object to that provision of the bill and think the limitation on development should be removed, and each State should be permitted to use its allotment under the bill for its needs, whether these needs are for acquisition or development.

Senator JORDAN. Yes. I like your calculation of the fact that the States share will not be a percentage of the gross, but will be a percentage of the net after certain expenses have been taken off the top; and those expenses, I suspect, might be substantial. Wouldn't you agree that those expenses could be?

Mr. GREGG. I think there is no question of that. Part of the total revenues that come into the program and go to help offset costs of acquisition of Federal lands at Federal reservoirs. These are very important outdoor recreation resources and a perfectly legitimate program, but I think this might take a very substantial amount of money, and it would make it possible for the States to receive substantially less than half of the total revenues that will come to the program.

Senator JORDAN. It was not clear to me this morning as put forth by the Secretary.

One more question, not on the specific bill itself, but on the philosophy behind the statement in your fifth point. I am quoting now:

The magnitude of the job requires Federal financial assistance.

Mr. Gregg, where does the Government get its money?

Mr. GREGG. Sir, it gets its money from the same people we wish the States could get their money from, in which case Federal assistance would not be necessary.

Senator JORDAN. Do you know any source the Federal Government has for money except from the 50 States?

Mr. GREGG. No, sir. I think this program has to stand on its merits by competing with the other demands that are placed on the Federal Government.

Senator JORDAN. That is all.

Senator SIMPSON. First of all, I am sorry to hear about Mr. Penfold, whom I know, and I express my wishes for a speedy recovery. Mr. Gregg, were you in here this morning when I interrogated the Secretary of the Interior with respect to this bill?

Mr. GREGG. Yes, sir. I was.

Senator SIMPSON. I took it you were from one of the statements you made there. Do you recollect the recommendations of the committee with respect to giving the States the flexibility, so-called, which was advocated in your report here this afternoon?

Mr. GREGG. Yes.

Senator SIMPSON. Do you recognize the bill itself, as brought before this committee, does violence to many of the fundamental recommendations in your report?

Mr. GREGG. I think it does in two respects. First in that it does not assure the principal effort is to be done by the States. That was a central finding of the Commission. Second, it hampers the development of a sound State program by limiting the amount that the State can do in development. So it does rob the States of flexibility, and it does diminish the participation of the States in the field.

Senator SIMPSON. Let me make this observation. In Wyoming the State has 51.6 percent of the State owned by the Federal Government. We are yet one of the two States in the Nation which has no bonded indebtedness and no income tax or service tax, and the like, and we have always operated in the black, which is something the Federal Government has forgotten how to do. We also have a situation which confronts us which is, every time a Federal Government agency gets a foot in the door we begin to feel the stress of their activity against private enterprise in the State, as recently evidenced by the fact that both the Interior and Agriculture Departments, which we now understand have a treaty of amity between them, have issued a directive that takes over and virtually makes private power an agency of the Federal Government in a public power area.

Naturally we are distrustful of the Government gaining more and more power. So I was a bit surprised when you said you thought the Federal Government should undertake land acquisition adjacent to some of these areas. How would you suggest that be done? By condemnation?

Mr. GREGG. I think the ordinary processes by which private lands are acquired for public purposes would be involved. Yes, sir. I think it probably would involve that.

Senator SIMPSON. That is interesting to the people of the West because it is to some extent being done in acquisition for park areas. Not in forests. It is disturbing to us. Do you say it should be done under the guise of national interest?

Mr. GREGG. I think certain recreational land acquisition by the Federal Government is in the national interest. May I explain to you what kind of a Federal acquisition program I hope we are talking about authorizing in this bill?

Senator SIMPSON. Please do.

Mr. GREGG. I think it is unfortunate that the record at this point does not indicate fairly clearly that this is not, or I trust it is not, largely a Federal land acquisition program. We do have left in this country, and we are very fortunate to have them, too, a few areas which are genuinely of national significance for their scenic, scientific, historic, and recreational value. The Oregon Dunes in Oregon is one of these, I believe. The Ozark Rivers area in southern Missouri is another. Cumberland Island in Georgia is a clear possibility. Picture Rocks and Sleeping Bear Dunes, as wonderful examples of Great Lakes shores, are others. These are the kinds of land which we believe, and are recommending very strongly, should be acquired and held in trust by the Federal Government for the use and enjoyment of future generations.

I think most of the moneys which might be authorized by this bill for Federal acquisition would go for these types of acquisitions. To the best of my knowledge—and, of course, each of these areas has to be authorized by act of Congress—I do not think that there is today even one active proposal before the Congress to acquire any new areas of this kind anywhere in the West, except possibly the Oregon Dunes area, where any significant amount of private land is involved. There is one in Kansas at Prairie National Park, but most are in the East.

Senator SIMPSON. You do realize, under the bill gifts of private property, and so forth, can be accepted? We have had the sad experience in the acquisition of land which was added to the Grand Teton National Park in Wyoming, of their acquisition by a secret corporation which was actually sponsored by some easterners who wanted to see this land added to the park, with the result that they bought it under the guise of the Snake River Land & Cattle Co., and then turned it over as an adjunct to the parks.

Mr. GREGG. I am not familiar with that.

Senator SIMPSON. Could you tell me this: What does the bill do that the Secretary of the Interior, and the Secretary of Agriculture and the Department have not already done and are now doing?

Mr. GREGG. Of course, the principal features of this bill as far as we are concerned is the program of grants to get the States to meet their own responsibility.

Senator SIMPSON. Could you tell me, do you know—and I doubt it is a fair question to propound to you—but do you happen to know why Senate 20 and 859 were separated from the original condition in which they were in the 87th Congress?

Mr. GREGG. The mistake was made in the 87th Congress, I think, in tying the two together. One bill, as you know, proposes and in effect expresses congressional support for the establishment of a Bureau of Outdoor Recreation.

The need for coordination among 20 agencies which affect outdoor recreation is so strong that a Bureau of Outdoor Recreation, in the coordination of all these Federal programs, and providing technical assistance to the States—not financial assistance, but technical assistance—has a very legitimate role to perform, and a necessary role, even if this bill were never introduced in Congress.

I think very substantial economies could well arise out of a properly functioning Bureau of Outdoor Recreation eliminating the duplication and improving the performance of the outdoor recreation programs of Federal agencies.

Senator SIMPSON. It seems to me to be just another bureau, and I was wondering, with the increase in bureaus and personnel and expenditures and appropriations, Senate 20 calls for no appropriation. Why was that portion placed in the bill in the light of the fact that as late as April 2 of last year the Interior Department informs us it has a Board of Outdoor Recreation which was established in the Department on April 2 under authority of Reorganization Act No. 3 of 1950? Do you see any need for this in the bill?

Mr. GREGG. Are you asking me if I see any need for Congress to act on Senate 20 in view of the fact that the Secretary of the Interior already has it established?

Yes, sir. I think there is a clear need for it. The problem we are dealing with here, which the Review Commission found, is that we have 20 different agencies, and some very specialized ones, such as the Park Service, Forest Service, Sport Fish and Wildlife, and the Bureau of Public Roads, et cetera.

Senator SIMPSON. Do you now think they are going to quit what they are doing in this same category because of the new Bureau being formed?

Mr. GREGG. No. We expect them to continue the programs and carry them out in accordance with authorities which the Congress has provided in other legislation. We hope that the Bureau of Outdoor Recreation will provide a means under policy guidance of the Cabinet-level Recreation Advisory Council that the President also established, by which these totally uncoordinated recreation programs can be looked at and analyzed, and become more efficient, and get to relate to each other better, so that we can hopefully be economizing and get a bigger bang out of the existing Federal recreation dollar, whether or not this bill passes.

Senator SIMPSON. I think maybe you answered this and I do not want to be repetitive, but do I understand you to say even though the bill does violence to the recommendations of the committee, you are still for it?

Mr. GREGG. I don't recall in what regard I have said that.

Senator SIMPSON. No. I say, did you say that? Do you feel that?

Mr. GREGG. No. I said—I think you are talking about this financing bill now.

Senator SIMPSON. Yes.

Mr. GREGG. I said we have several very important reservations about certain features of the bill.

Senator SIMPSON. Have you communicated those to the Department?

Mr. GREGG. Well, yes, we have, and we have discussed the matter off and on with people in the Department.

Senator SIMPSON. Why do they react so violently the other way, can you tell us?

Mr. GREGG. They do not react violently, but hold the same belief about the superiority of their ideas as I do about mine.

Senator SIMPSON. That is a good answer. Yes, sir. Thank you very much. Thank you, Mr. Chairman.

Senator NELSON. Senator Allott?

Senator ALLOTT. I have not heard all of the testimony. Go ahead.

Senator DOMINICK. I just have a few things here. One is that you said in the process of this that assuming the special financing as wise, you find the revenue resources appropriate.

I assume by this that you are showing some doubt as to whether special financing is wise, is that correct?

Mr. GREGG. Yes, sir. The Outdoor Recreation Resources Review Commission said that because outdoor recreation is important, because it is not a frivolous part of the lives of our people, that it deserves favorable consideration in the regular appropriations process.

Now, the administration has decided, for reasons which I am sure they have valid support for—they have been expressed here this morning—that it would be better to try to get a program which is in part self-financing.

Now, the Commission did not consider itself to be a fiscal expert. Its total comment on this subject amounted to about that much in the record [indicating]. And our committee does not either. We have no violent objections to the way in which this is financed.

We know that this is a means of getting the issue before the Congress. And we think that the Congress is going to make a decision about how it is going to be financed.

Senator DOMINICK. Thank you very much.

Senator NELSON. Any other questions?

Thank you very much, Mr. Gregg.

Mr. Goddard?

STATEMENT OF MAURICE K. GODDARD, SECRETARY, DEPARTMENT OF FORESTS AND WATERS, COMMONWEALTH OF PENNSYLVANIA

Mr. GODDARD. Mr. Chairman and members of the Senate Committee on Interior and Insular Affairs, I am Maurice K. Goddard, secretary of the Department of Forests and Waters of the Commonwealth of Pennsylvania.

I want to express to you my gratitude and that of Gov. William W. Scranton for the opportunity to present our views on Senate bill 859, the Land and Water Conservation Fund Act of 1963.

I am also pleased to report that these brief comments have received the endorsement of the executive directors of Pennsylvania's Fish and Game Commission.

I might tell you, sir, these are separate commissions in our State. Some States, like Michigan, California, New York—they are in the conservation department. In our State, they are independent of my department, responsible only to the administration.

At the risk of being accused of being repetitious, I wish to say that the Commonwealth of Pennsylvania is in wholehearted accord with the general provisions of this proposal. There are several of its minor provisions, however, that I suggest this committee afford additional study with the thought of possible amendment.

Rather than take the time to read this material—Mr. Gregg has explained it very adequately, I think, as it relates to development.

I have brought with me one example of a park we have built in our State, less than 100 miles from the capital—it is 17 miles from our own capital, midway between Harrisburg and York, Pa.

It is to be noted that we paid about \$601,000 for 23 acres of land. We have already spent about \$1.5 million in development and we are now proposing to advertise very shortly for sanitary and water facilities for another \$600,000.

So it is obvious from just one of our parks that we built in the last 4 years we are spending three times as much on development as we are on acquisition.

In our own development, even in a fairly suburban area, fairly suburban development, we are spending much more on development than we are on acquisition.

We are also proposing to pass a \$70 million bond issue in our State. We have a very difficult constitutional requirement. This had to pass two different legislative bodies in our State. This amendment was submitted to our legislature last year and it was passed overwhelmingly. It has been reintroduced—State senate bill 45—this year, and it was reported out of the committee this week. If this passes our legislature this year, it will be placed on our ballot this fall and we will have available \$70 million for just acquisition.

We are in a sense faced with the same problems in our own State that we are perhaps at the Federal level.

My department owns about 2 million acres of State land in Pennsylvania, and it is in the central corridor of our State.

So we are limiting the acquisition of these regional park lands to those parts of our State that have less than 10 percent of the acreage in public ownership.

We would like to urge that the committee give consideration seriously to changing the formula on development.

We sincerely feel that the development aspects should have greater recognition.

I concur wholeheartedly with what Mr. Gregg has just told you as perhaps a formula on how to do it.

There is one other very small item that is of interest to us.

There is a section in the bill, section 5(d) which has to do with planning. When Pennsylvania testified last year on Senate bill 31117, we recommended that this planning function be given to the National Park Service, because we felt they were more versed—

Senator SIMPSON. Is that training of personnel?

Mr. GODDARD. Yes; training of park personnel—be specified to the National Park Service. Perhaps there are reasons for not specifying this in the bill that I am not familiar with. But this very briefly is our position.

I think that—we have discussed this informally with the fish and game people of our State, the sportsman's group, the Pennsylvania Federation of Sportsmen. They will support it.

We do have only one national forest area in our State, the Allegheny National Forest. It is a very small one. I think it has about 450,000 acres.

There are three large recreational areas in our State.

As Mr. Gregg has stated, this is where we would hope some of this money that goes to miscellaneous receipts would perhaps be spent on a Federal project.

We feel that we have a tremendous recreational pressure in our State. We have 11 million people. Our State park attendance was about 8 million in 1955. Our State park attendance last year was about 24 million.

We are now building 16 major parks.

In 1955, when I became secretary of the department, we adopted a slogan of "Build a State park within 25 miles of each Pennsylvanian." We have one under construction now, and when this is finished, we will have met the goal. The only problem is it does not take care of the population density, and 1 State park for 2 or 3 million people is not very useful.

So we still have this pressing need to develop the park in close to the heavy population centers.

I concur in what Mr. Callison said—it is a true statement.

We are trying to build here today use facilities, a place where a man goes out in the morning or when his day is over, or on his day off, and comes back home. I do not think this will detract from the tourist trend of our people to visit the great national parks, forests, and State parks of Western America.

In fact, in many ways I think it might encourage many to take advantage of them. Very few of our people, for example, ski—they never knew anything about swimming or boating. So if they develop an interest, I think this in turn develops their interest to travel to the West. And rather than detract from the western tourist business, I think it would be very helpful.

This is all I have, Mr. Chairman. I will try to answer any questions you have.

Senator NELSON. Thank you.

Your complete statement will be included in the record at this point.

(The statement referred to follows:)

STATEMENT OF MAURICE K. GODDARD, SECRETARY, DEPARTMENT OF FORESTS AND WATERS, COMMONWEALTH OF PENNSYLVANIA

Mr. Chairman and members of the Committee on Interior and Insular Affairs, I want to express to you my gratitude and that of Gov. William W. Scranton for the opportunity to present our views on S. 859, the Land and Water Conservation Fund Act of 1963.

I am also pleased to report that these brief comments have received the endorsement of the executive directors of Pennsylvania's Fish and Game Commissions.

At the risk of being accused of being repetitious, I wish to say that the Commonwealth of Pennsylvania is in wholehearted accord with the general provisions of this proposal. There are several of its minor provisions, however, that I suggest this committee afford additional study with the thought of possible amendment.

1. Section 5(e), subparagraph 2, provides "That the total grants to the States for development projects shall not * * * exceed 10 percentum of the amounts appropriated * * * for State purposes pursuant to section 5."

As I interpret this provision, those funds made available to the States by the Federal Government for development purposes shall not exceed 10 percent of the total amount made available to the States. The implication that may be taken from such wording is that development costs represent a maximum of 10 percent of the cost of establishing new park areas. If that is the assumption upon which this provision is based, it is incorrect at least insofar as Pennsylvania's experience is concerned.

For example, at one of our newest areas, Gifford Pinchot State Park, which, by the way, serves many people from this metropolitan area, we have invested more than \$2 million. Of that sum, only 30 percent involved land acquisition while more than 60 percent was spent on development. Considering the fact that the Pinchot Park area was, at the time of acquisition, subject to urban pressures from both Harrisburg and York, this comparison of acquisition and development costs is particularly significant.

I recognize the fact that the major purposes of this bill are to stimulate the acquisition of lands and promote proper planning, but I wish to raise the question of the emphasis placed upon those phases of the problem.

2. Section 5(d), subparagraph 4 provides that "The Secretary may provide financial assistance to any State for * * * the training of personnel for outdoor recreation planning and related administrative responsibilities."

Once again, being somewhat repetitious, I wish to suggest that this training function should be the responsibility of some agency of the Federal Government. This thought was expressed in the Commonwealth's testimony presented before this committee last year in support of S. 3117. At that time, we proposed that the National Park Service, being the Federal agency with the most varied experience in recreation resource planning and administration, be designated as the training agency. I believe that that proposal is equally applicable to S. 859, the one now under consideration.

I think that the Commonwealth of Pennsylvania has been in the front ranks of those States that have been sincerely trying to assume their rightful position of responsibility in providing facilities for the leisure time activities of our people.

Senator ALLOTT. I have one question, Mr. Goddard.

How do you justify earmarking a capital asset of the Federal Government for the support of this?

Mr. GODDARD. Well, as I understand—

Senator ALLOTT. This is not in the same category of a user fee or entrance fee, or whatever you want to call it. Nor is it in any sense the same category as a tax upon motor fuel.

How can you possibly justify the insertion of the sale of a capital asset of the Federal Government for the financing of this and earmarking it for that, rather than depending upon appropriations?

Mr. GODDARD. Well, the only way that I, in my own mind, can justify it, Mr. Senator, is that it is my understanding, first, it has to be a surplus asset. I think it says surplus property. Of course, these properties were either bought or provided for by the people of America.

Senator ALLOTT. May I say this is what they are called. Actually they are salvaged property. They are salvaged assets. That is all they are.

Mr. GODDARD. That's correct.

Senator ALLOTT. You realize that it has run as high as \$8 billion in 1 year?

Mr. GODDARD. No, I did not.

Senator ALLOTT. I think you will find—I am subject to correction—but if my memory does not deceive me, you will find this has run into fantastic amounts, far beyond the concept of any—I would say 90 percent of the Members of Congress, and certainly most American citizens.

Mr. GODDARD. Well, this would surprise me. I think in my mind, sir, that I thought it implied the sale of surplus land, not property per se—not the stockpile of minerals or anything of that type.

For example, in our own State there is the Susquehanna Ordnance Depot which has been declared a surplus type of facility. It was my thought that if this was so, then this would come into the fund—but not any material or anything else that might be at the depot. I do not think any of us in the recreation field would hope that we should get the benefits of anything like a billion dollars.

My only other point would be that if it is land sold at surplus, then to reinvest it in land as a public investment I think is a relatively reliable type of investment. Land, in my mind, is the best investment we can have in this country. It would be in public ownership. So that we would be reinvesting in land that we are disposing of.

Senator ALLOTT. But you are in a different situation entirely than the Western States. You have to acquire land for park purposes.

Mr. GODDARD. In general, that is correct.

Senator ALLOTT. In the main. You are not in the situation—you were in the room when I recited these figures a while ago where you have up to 90 percent, and in our State 34 percent, and so forth, of Federal land. I have not seen that—but in the wilderness hearings there were two or three times these figures are inserted.

So you have a different situation.

I would just like to call your attention to the fact that on page 5, lines 6 and 7 of the bill, it says—

hereafter received from any disposal of surplus real property and related personal property.

Mr. GODDARD. Well, I think this should be amended. I do not think in my mind we had any intention it would be anything but Federal lands that were declared surplus. I would hope we would not declare Federal Forest Service lands in the West surplus, or National Park Service lands in the West surplus. It is lands that were acquired maybe through war effort and other types of development that the Government no longer feels it has an interest in.

Senator ALLOTT. Well, we find that despite the fact that the Federal Government owns so much of the Western States, there is no satisfying the appetite of the Federal agencies for land. Even little people with home sites are subjected to every kind of a pressure and are gobbled up just as far as they can be by either the Department of Agriculture or the Department of the Interior. There is no satisfying the appetite of these people for land.

Mr. GODDARD. Well, maybe a way that we could protect that they not acquire more land under the terms of this bill would be to increase the percentage of moneys allocated to the State effort and a smaller

percentage of the funds allocated to the Federal effort. Frankly, this would be very acceptable to us in Pennsylvania.

Senator ALLOTT. That is all I have, Mr. Chairman.

Senator SIMPSON. Mr. Goddard, would you agree—representing the great Commonwealth of Pennsylvania—with the members of the committee and the ORRRC Commission, that the States should play the pivotal role in providing outdoor recreation opportunities for their citizens?

Mr. GODDARD. Yes, sir; I certainly do.

Senator SIMPSON. And that the emphasis should be placed on the flexibility remaining with the States rather than the Federal Government.

Mr. GODDARD. Yes, sir.

Senator SIMPSON. Thank you very much.

Senator ALLOTT. I would like to ask one further question, Mr. Goddard.

You would not contend that upon any method of accounting the receipts from entrance and user fees, and the receipts from motor fuel tax, are in the same category as surplus properties sales?

Mr. GODDARD. I would agree with you on that, yes, sir; I certainly would.

Senator ALLOTT. Thank you.

Senator NELSON. Mr. Dominick?

Senator DOMINICK. I was somewhat surprised, in view of your statements here, concerning section 2 of your proposal, in which you say that the Federal Government should provide an agency, not only for the training of personnel for outdoor recreation planning, but the related administrative responsibilities.

Now, how, under any stretch of the imagination, can you have the Federal Government be responsible for State planning and State administrative responsibilities of that planning?

Mr. GODDARD. Well, my position, Mr. Senator, is taken from the fact that even though I am a State man and interested in State interests, I look at the National Park Service, which is a very well-staffed, highly technical group of people—and they have been very helpful to us on advisory committees—I do not feel we are losing any of our States' rights by looking to them to help us in training.

Senator DOMINICK. Well, this not only provides for the actual training, but provides for the financial assistance for it.

Mr. GODDARD. Through this matching fund, as I understood it. I would like to see them be responsible for the training grants under this program. That is what I am trying to say.

Senator DOMINICK. And administrative responsibilities as well?

Mr. GODDARD. For the training, yes, sir. That is what I am trying to say—just as it related to training.

Senator DOMINICK. That is all, Mr. Chairman.

Senator SIMPSON. The next witness is Mr. Towell, the chairman of the Executive Committee of the International Association of Game and Fish Commissioners.

We will be glad to hear from you, sir.

Incidentally, the committee is now in the minority, and the minority party is here in the majority. So just do your level best.

STATEMENT OF WILLIAM E. TOWELL, CHAIRMAN, EXECUTIVE COMMITTEE, INTERNATIONAL ASSOCIATION OF GAME, FISH, AND CONSERVATION COMMISSIONERS; AND DIRECTOR OF CONSERVATION, STATE OF MISSOURI

Mr. TOWELL. Mr. Chairman, as you have indicated, I represent the International Association of Game, Fish, and Wildlife Commissioners. Our association includes not only fish and game departments in all 50 of our States, but many of the park divisions, boating departments, forestry agencies, and other outdoor recreation interests as well.

I want to speak on behalf of our association, in support of S. 859.

We strongly endorse the principles of the land and water conservation fund bill. It represents a badly needed Federal emphasis in the outdoor recreation field. On the other hand, it brings the States into a key role in both recreational planning and development, fulfilling a major recommendation of the Outdoor Recreation Resources Review Commission. Federal leadership is essential if we are to meet the needs of future outdoor recreation planning and development. We cannot overemphasize the importance of acquiring or setting aside now lands that can never be reclaimed for outdoor recreation purposes once dedicated to other uses. Present programs on both the Federal and State levels are inadequate. In many States, for example, only hunting and fishing license fees are available to meet all of the outdoor recreation needs. Not only will the grants-in-aid provisions of this bill in themselves be of great help to the States, but they will stimulate the States to do more for themselves as well.

Now, in any legislation of this importance, there is bound to be opposition. We recognize that. We have come before you with some recommendations for amendments. But I hope in making these recommendations, that we do not weaken our overall endorsement of the principles of this bill.

Now, very briefly, what we suggest as changes are, first of all, instead of grants-in-aid programs being on a 30 percent Federal and 70 percent State, that it be 75 percent Federal and 25 percent State.

Now, our reason for making that recommendation is that this would conform to the highly successful Pittman-Robertson and Dingell-Johnson programs which we already administer. It increases the Federal portion. And we think it would make the thing much more acceptable to the States. In fact, some of the States, we feel, would be unable to participate in the outdoor recreation program if they had to match the Federal grant funds on a 70-percent basis.

The second suggestion which we make has already been mentioned here several times today. We feel that any limitation on funds for development should be withdrawn from the bill. The reason here is because many States already have sufficient public lands. The need is not acquisition; the need is for development of the public lands that are already there.

So we feel that any reference to the development limitation should be taken from the bill. That could be handled, we feel, very adequately in the State plan, which must be approved before the State can participate under the act.

As a third suggestion, we offer for your consideration that maintenance in operations of projects under the act be made a part of the administration of this bill.

Acquisition and development of land become meaningless unless projects are adequately maintained. Some States would not be able to carry the burden of development and maintenance, operation and maintenance.

Federal law again already provides 20 percent of State allotments for operation and maintenance of fish and game projects under Pittman-Robertson and Dingell-Johnson. Therefore we have a background of a successful program in which these maintenance and operation factors are included.

As a third suggestion, or as a fourth suggestion, actually, one that has already been made—in section 3 of the bill, with respect to the division of the revenues of the separate Treasury account between miscellaneous receipts and the land and water conservation fund, we feel that the bill should provide that not more than 40 percent of the total revenues may be allocated to Federal purposes, however distributed between miscellaneous receipts and the Federal agencies through the Federal land and water conservation fund.

As it now stands it leaves it quite indefinite. It leaves it entirely up to administrative interpretation. We feel that it could be pegged at a specific percentage level so that the program in the future could be definitely earmarked on a positive ratio of State-Federal participation.

Also we recommend that if there are any reservations of funds under this act from the State grants and aid accounts, that rather than go back into the General Treasury, they go into the miscellaneous receipts fund and be used for Federal outdoor recreation projects under this act.

The important thing, we feel, even to the States, is that this money which is set aside to use for outdoor recreational development—if it is not used for the States, if they do not qualify, then it should be used by the Federal agencies in this same field.

As the last and final recommendation—

Senator SIMPSON. Might I just ask there—would you recommend that even if it was turned back from one State, it could be utilized in another State?

Mr. TOWELL. I understand under the provisions of the bill that there is a certain time it can be reallocated to the States. But if funds are not used by the States, rather than go back into the General Treasury of the country, of the United States, we feel that they should go back into the miscellaneous receipts fund and earmarked for this particular outdoor recreation work.

Finally, sir, we recommend that before any user fees are established, that the Recreation Advisory Council which has been established by Executive order conduct public hearings in appropriate places throughout the country.

Now, we recognize, as I think the committee has recognized here today, that the users fee provision of this bill is quite controversial. There is a lot of strong feeling on it. We suggest that appropriate public hearings might help solve some of the acceptance, public acceptance problem, with regard to these fees.

Senator SIMPSON. You recognize, do you not, that you have hit a nerve of all the departments when you make a suggestion like that. That is what we have been fighting for out West for many, many years, and as yet have not procured any recognition of our application for it.

Mr. TOWELL. Well, I was not fully aware of that.

Senator SIMPSON. But I want to compliment you on the recommendation, sir.

Mr. TOWELL. This is the thinking of the States. Let me make it very clear that I represent not just my own feeling, but the 50 States who have studied this bill at quite some length. These recommendations are made after a lot of deliberation. We feel in each case that it will strengthen the bill.

But also, Mr. Chairman, let me make it clear that we hope that our suggestions for change will not weaken our overall endorsement of the general principles of this bill.

We feel it is important legislation, and we certainly urge your early and favorable consideration.

(The statement referred to follows:)

STATEMENT OF WILLIAM E. TOWELL, DIRECTOR OF CONSERVATION, STATE OF
MISSOURI

Mr. Chairman, I am William E. Towell, director of conservation for the State of Missouri. Today, in addition to my own State, I represent the International Association of Game, Fish, and Conservation Commissioners, which I serve as chairman of the executive and legislative committees. This association includes the fish and game departments of all 50 of our States, plus many of the park divisions, boating departments, forestry agencies, and other outdoor recreation interests as well. I want to speak in support of S. 859.

We strongly endorse the principles of the land and water conservation fund bill. It represents a badly needed Federal emphasis in the outdoor recreation field. On the other hand, it brings the States into a key role in both recreational planning and development, fulfilling a major recommendation of the Outdoor Recreation Resources Review Commission. Federal leadership is essential if we are to meet the needs of future outdoor recreation planning and development. We cannot overemphasize the importance of acquiring or setting aside now lands that can never be reclaimed for outdoor recreation purposes once dedicated to other uses. Present programs on both the Federal and State levels are inadequate. In many States, for example, only the hunting and fishing license fees are available to meet all of the outdoor recreation needs. Not only will the grants-in-aid provisions of this bill in themselves be of great help to the States, but they will stimulate the States to do more for themselves as well.

In any legislation of this magnitude there is certain to be opposition or recommendations for change. I am going to suggest some amendments with the hope that this will in no way weaken our overall endorsement of the principles of the bill. We feel that these changes would strengthen the entire program under this act:

First, that section 5 (c), page 9, lines 20-24, be amended to read:

"Payments to any State shall cover not more than 75 per centum of the cost of planning, acquisition, development, operation and/or maintenance of projects that are undertaken by the State."

This amendment would bring the outdoor recreation program into conformity with the highly successful Pittman-Robertson and Dingell-Johnson programs in the game and fish fields. It increases the Federal portion in relation to the State contribution and recognizes operation and maintenance of projects.

Second, that section 5 (e) (2), page 11, be amended by striking out the phrase beginning with the word "Provided" in line 23 to the end of the sentence, line 3, page 12.

This would eliminate a serious restriction on development of projects under this act. In some States, where there are already sufficient lands in public ownership, development of these lands is the paramount need.

Third, that a new subsection (3) be added under section 5(e), page 12, as follows:

"(3) MAINTENANCE AND OPERATION. For maintenance and operation of projects under this Act only, not to exceed 25 per centum of the total amount allocated to any State."

Acquisition and development become meaningless unless projects are adequately maintained. Some States would not be able to carry this load alone. Federal law already provides up to 25 percent of State allotments for operation and maintenance of fish and game projects under Pittman-Robertson and Dingell-Johnson.

Finally, we recommend that it be incorporated in the bill that before user fees are established the Recreation Advisory Council conduct public hearings in appropriate places throughout the country.

With these suggested changes, Mr. Chairman, we feel that the Land and Water Conservation Fund Act would be substantially improved. We urge your early and favorable action on this important legislation.

Senator SIMPSON. Thank you very much, Mr. Towell.

You say you represent—tell us a little bit about this organization you represent.

Mr. TOWELL. The International Association of Game and Fish Commissioners—principally it is the association of fish and game administrators of the United States, Canada, and Mexico. In this particular instance, of course, we are representing only the U.S. portion.

Senator SIMPSON. But you do represent the 50 States.

Mr. TOWELL. Yes, sir.

Senator SIMPSON. And these recommendations you have come from all 50 States.

Mr. TOWELL. I would say probably no few of the States would feel exactly the same. But what I have suggested to you here today represents the composite thinking, after much deliberation, of our international association of the 50-State membership.

Senator SIMPSON. Were your States in accord with respect to the recommendation of the Committee, that is the ORRRC Committee, that the States should play the typical role in providing out their recreation opportunities for their citizens?

Mr. TOWELL. Yes, sir. If you remember the early part of my statement, it was with the hope that the States could play a big part in this whole program.

Senator SIMPSON. And the flexibility remain with them, rather than be overburdened on the side of the Federal Government.

Mr. TOWELL. I think that is right. But I also recommended, if you recall, that the grant-in-aid provisions be reversed, so to speak—instead of 30 percent Federal, that they go to 75 percent Federal.

Senator SIMPSON. Thank you very much.

Senator Dominick?

Senator DOMINICK. Thank you, Mr. Chairman.

You have in your statement the recommendation of this bill, and then you say—

in many States, for example, only the hunting and fishing license fees are available to meet all of the outdoor recreation needs.

Why should the Federal Government assume responsibility if the States are unwilling to do it?

Mr. TOWELL. I do not think the Federal Government should assume the responsibility. I consider this a partnership law, if it becomes law, in which both the Federal and the State will participate more or less equally.

I also pointed out that this is a needed Federal stimulus. This job, Mr. Chairman, is just not being done, except by a few States. We can point to some notable exceptions—New York, Wisconsin, California—in which they are recognizing this problem and are making headway in getting the thing done. But the great majority of States are lagging miserably behind in outdoor recreation development. This Federal stimulus, we feel, is extremely important.

Senator DOMINICK. Why are they falling behind?

Mr. TOWELL. I think perhaps they are failing to see the need, from the public level. There are, as you know, tremendous other demands on the tax base. I do not think the States should look to the Federal Government to do it. But on the other hand, I think that the Federal Government can stimulate the thing and guide it and accomplish much faster development by their participation than without it.

I point out to you the tremendous work that has been done for fish and game under the Pittman-Robertson and the Dingell-Johnson program.

Senator DOMINICK. The thing that I find most distressing, as I sit in this chair, and as I sat in the other body, is the apparent belief that the Federal Government derives money out of the clouds or something. It still gets it from the same people that provide the money to the States.

Mr. TOWELL. That we certainly recognize.

Senator DOMINICK. If this is true, then why should we spend \$147 million per year, estimated, and maybe more—

Senator SIMPSON. First year.

Senator DOMINICK (continuing). Out of the Federal Treasury, so called, which is nothing but taxpayers' funds, when the people in the States themselves are unwilling to put any funds into the State part of it?

Mr. TOWELL. Well, I would not say the States are not willing to pay anything. Let me say this: The purpose, as we see it, is to elevate outdoor recreation needs as public needs, as far as Government financing is concerned.

We recognize that all of the money is from the same source, the people. But we feel that the future needs in outdoor acquisition of lands, the development of these lands for the health and well-being of people, is of big enough priority that it should be elevated in status for expenditure of Federal funds. And at the same time we feel it will stimulate the States to do much more for themselves. Really, I think that is all we are doing—is asking for greater Federal emphasis in this particular program.

Senator DOMINICK. How do you feel about putting the financing of any of this bill through the regular appropriation process?

Mr. TOWELL. If it could be put through the regular appropriation processes, fine. The source of the funds I do not think is the extremely important thing, as much as the need for Federal participation in outdoor recreation development.

Senator DOMINICK. I must say I cannot see why the Federal Government should be required to get into this on the basis of need.

Mr. TOWELL. Senator, I think that the Federal Government is already into it. We have right now—

Senator DOMINICK. I do not care whether it is or not. I am just trying to see why it should be in, if the States themselves won't do it—why should the Federal Government do it?

Mr. TOWELL. Well, the problem is much bigger than the States themselves. The development and use of these Federal areas which we have been speaking about in the Western States here this afternoon is an essential part of the program. This is a Federal program, too.

The need exists on both State acquisition and development, and Federal development, and perhaps some acquisition.

Senator DOMINICK. I would agree with you that the Federal Government already owns a large share of the Western United States. And there are probably very many areas in there which we could profitably develop as such. But I have grave problems in trying to find out why, with that situation, we should also contribute money to those same groups in order to contribute to a State which has not done so, to put their own parks in.

Mr. TOWELL. Well, I can sympathize, sir, with your problems in trying to make available funds meet demands, because I have the same problem in my own State with the much smaller program, but on the same type of difficulty.

Senator DOMINICK. I think we have to recognize that the Federal Government has a national debt which is bigger than all the national debts of all free world countries combined. It is far more bankrupt than any of the States are, except possibly Michigan. I really have some concern about adding more, unless it is absolutely necessary. This is why I was asking you about your feeling of need.

Mr. TOWELL. Well, I certainly feel there is a need, or I would not be here before you today.

Our association has discussed this at great length. We have been called in on discussions in the planning of the thing. We feel that it is overdue, that the Federal Government provide a stimulus—not the whole pocketbook, not the whole job, but the stimulus to get this job underway. If nothing else—the coordination of planning among the 50 States.

Senator DOMINICK. Suppose they just did that?

Mr. TOWELL. Well, I say "if nothing else." Certainly that would be better than nothing. But that is only the beginning of the job. Planning without implementation would be of little value.

Senator DOMINICK. Thank you, Mr. Chairman.

Senator SIMPSON. You are cognizant of the fact, Mr. Towell, that the Federal Government already has the authority and capacity to do much of the things that are advocated in this proposed enactment, S. 859.

Mr. TOWELL. I believe the Secretary indicated that this morning; yes, sir.

Senator SIMPSON. And it has already set up a Bureau of Outdoor Recreation under the authority granted in the Reorganization Act of 1950.

Mr. TOWELL. Yes, sir.

Senator SIMPSON. But you advocate, now, an additional expenditure of some \$147 million the first year, over \$200 million in subsequent years.

Mr. TOWELL. The amount of the expenditure is pretty much an estimate at this time. I think it depends upon the amount of the user fees, the refundable portion of the gasoline tax is pretty definite—and we can only estimate the receipts from sale of surplus real property.

Senator SIMPSON. Would you be adverse to a proposition of setting up the Bureau, a new Bureau under S. 20, which is now before the Senate, and only the utilization of those funds that come by virtue of fees and other taxes, or other charges, rather than an appropriation from the Federal Treasury?

Mr. TOWELL. You mean user fees only?

Senator SIMPSON. Yes.

Mr. TOWELL. Without the other sources?

Senator SIMPSON. Presently, in order to avoid the continuous increase in the national debt and the continuous spending of public moneys when a tax cut is being promoted to the tune of \$10 or \$12 million for this year.

Mr. TOWELL. Senator, I do not find myself able to answer the overall problem. I sympathize with you in dealing with it. My purpose is only to bring to your attention the importance we feel about outdoor recreation planning and development—where it fits in the scale of other governmental needs I think only you can make a decision.

Senator SIMPSON. It seems only fair that the States who have no land under Federal ownership—those in the West that are subjected to this type of thing.

Mr. TOWELL. I think mine is a good compromise State in this respect. We have 1,300,000 acres of Federal ownership, which is small compared to yours, and we have 200,000 or 300,000 acres of State ownership. But we recognize the great difference in the problem between the East and the West. This will apply, we think, differently to States in the East and the West. As I indicated earlier, 90 percent of the fund might be needed in the West for development, while 99 percent in the East might be needed for acquisition.

Again, I only want to emphasize that we are behind in both the Federal level and the State level and recognizing future public needs in outdoor recreation resources.

Senator SIMPSON. The business of being behind is a question of degree. If there is any behind in the West, it is because the Federal Government has dragged its feet when they had the authority.

Mr. TOWELL. I have no comment, sir.

Senator DOMINICK. Would the chairman yield?

Senator SIMPSON. Yes.

Senator DOMINICK. I have some complications in my mind in fitting in your comments with the recommendation on page 1 of your statement, Mr. Towell, in which you increased the amount that the Federal Government will pay to the State for all phases of this program from 50 percent up to 75.

Mr. TOWELL. Yes, sir.

Senator DOMINICK. So that the Federal Government, in effect, is assuming an even larger share under your recommendation.

Mr. TOWELL. We are recommending it; yes, sir.

Senator DOMINICK. Even though you think the States ought to be the pivotal agencies?

Mr. TOWELL. I think it should be a partnership. As I indicated, the States have a pivotal role. I do not know that the definition of that would be that one would be essentially larger than the other. They certainly should be actively participating with the Federal Government. But my reason for—our reason for indicating the higher percentage is because we already have two successful programs that have done perhaps more in the fish and game field than any of the other outdoor recreation fields.

Senator SIMPSON. They are tied to a different base, however.

Mr. TOWELL. That is right, they are a special excise tax. But it is still the people paying money into a fund which is used back to the people again.

Senator ALLOTT. I have no questions.

Senator SIMPSON. Thank you, Mr. Towell.

Mr. TOWELL. Thank you.

Senator ALLOTT. Our next witness is Mr. M. O. Steen, Director of the Nebraska Game, Forestation, and Parks Commission.

Do you have a prepared statement, Mr. Steen?

Mr. STEEN. Well, I do, yes, sir, Senator, in part. However I should like to comment on it.

Senator ALLOTT. You may proceed.

STATEMENT OF M. O. STEEN, DIRECTOR, NEBRASKA GAME, FORESTATION, AND PARKS COMMISSION

Mr. STEEN. I am Mel Steen, director, the Nebraska Game, Forestation, and Parks Commission. I testify in behalf of S. 859.

We believe this bill to be a highly meritorious measure, and submit that it is long overdue and urgently needed Federal legislation. I will not take up your valuable time repeating national need and justification for the outdoor recreation program. I am sure your files will have ample documentation in this regard.

We do believe that some modification is desirable; specifically, the amendments proposed by the International Association of Game, Fish, and Conservation Commissioners.

Speaking for the State of Nebraska, I say to you that these amendments are essential, because it will not be possible for us to meet the provisions of S. 859 under an allocation formula which requires our State to provide 70 percent of the cost of acquisition and/or development projects. Moreover, it is necessary that we develop our projects substantially as acquired, and this we cannot do under the 10-percent limitation imposed on development projects during the first decade of the program. Finally, we already have available acreages that lack development and public use facilities because we have been unable to finance adequate capital improvement work thereon.

I think it has been pointed out by the Senators from the western part of the Nation, and notably the Senator from Alaska.

I would like to say, with respect to this development activity, my 42 years of experience in this field attests to the fact that the people will not wait 10 years to see promised results and enjoy public benefits from a capital improvement program. We must move faster than that; hence the 10-year and 10-percent limitation is impractical.

I would like to say also many of the things proposed here are things that are salable if properly explained and properly sold to the people.

We submit that the proven and highly successful formula and provisions of the Federal-aid in wildlife restoration program are far more realistic and practical for the purposes of this act than are the provisions and formula of "open space" legislation, as embodied in S. 859.

It is my understanding that was taken from the open space legislation provisions.

The validity of our contention is amply demonstrated by the outstanding success of the former program versus the limited progress under the latter activity. I remind you that the principal sponsor of open space legislation in the Senate now finds it desirable to amend said legislation as to change its participation formula and requirements from 70-30 to 50-50.

While we endorse the specific language appearing thereon in S. 859 we have no fear that user fees will replace angler-hunter permit fees, nor materially reduce our ability to raise revenue through this means. On the contrary, we believe that the broadened revenue base proposed in S. 859, plus the revenues that can be raised at the State level, will provide for more income to Nebraska for the purposes of this act than is possible through any other approach. That is one reason we say we will not be able to match Federal funds from State revenues if the cost sharing is only 30 percent Federal and 70 percent State.

I would like to say, Senator, in the State, as in the Federal Government, we have operation and maintenance costs, and our ability to raise money from our capital improvement process is limited. This is entirely a capital improvement program, and provides revenue for functions and purposes and objectives which are quite difficult to finance at the State level.

I would like to comment, too, if I may, on the discussion this morning with respect to user fees.

First, I would like to point out that the proposal is to apply a user fee, an annual user fee to automobiles, a sticker, so to speak.

We have had some experience with this in our State, and our experience may be useful to the committee.

We found no particular difficulty in applying this taxation device, and that is what it is—all these devices are taxation devices, although they have the implication of conveying to the user something that he is paying for—they are actually taxation devices—we did this with respect to recreational areas which were not fully developed, or only very little developed, developed very little.

It is quite difficult to apply a user fee to a project or an area which is not developed, where you have no facilities. Yet if you sell it to the people on the basis that the fee that they are paying will provide the facilities they desire, then you have no difficulty. At least this is our experience.

As far as this question of who it should apply to—there is really no difficulty. It is essentially the same thing as a license or a permit for fishing or hunting. It is an annual fee, and an annual permit. You enforce it by spot checking, as you do in the fish and game field. You have to prove when a man is fishing or hunting, and you have to prove that to the satisfaction of the prosecutor in the

court before he can be penalized for fishing or hunting without having paid this tax and without having this tax receipt in his possession. And the same thing would apply in this case. You have to prove, whoever enforces this act, be it the State or the Federal Government—if it is applied to the recreational use of certain lands, then it would be necessary for the enforcement agency to prove that the individual who owned the car or drove the car was using the area for recreational purposes. I don't think there is any particular difficulty.

In the administration of the user fee, at least as a result of our experience—we found during the first year or two there was some objection. By the second year, when people realized that this money was being plowed into developments for their benefit, they had no particular objection. Now if we were to change it back, we would get more of a ruckus than we had when we imposed the tax in the first place.

It is a new idea of raising revenue for the purposes of doing this.

But I would like to make a couple of points, if I may, gentlemen.

First of all, it is applied to the people who receive the benefits. Secondly, it is not a mandatory tax—it is an optional tax. No one has to picnic on Federal lands, no one has to go hunting or fishing. He pays this tax only if he does these acts and enjoys these benefits.

So I think it has an advantage over paying these costs out of general taxation.

Finally, we recommend the modifications outlined in Mr. Towell's testimony as they are specifically detailed in his presentation. We do this because we believe it will strengthen the act, S. 859, and make the program thereunder more practical, equitable, and acceptable.

We feel, however, that this program is so essential to the progress, health, and welfare of this Nation, that we endorse it fully, whether or not Nebraska is able to participate.

I would like to make another point or two here—that we have a question of values involved when we come to financing any governmental activity. The question is which is the most important, which has the most priority.

I think, gentlemen, all those, or nearly all those who are versed in the field will agree that this Nation has made far more progress in technology or in the technological sciences than it has in the social sciences, and that our need for outdoor recreation is one of the urgent needs of the people.

I suggest to you that this device, which is embodied in S. 859, for the purpose of curing that deficiency does not impose any new mandatory taxes; it imposes only optional taxes and earmarks certain specific existing taxes which probably should be going to this function anyway, because the people who operate pleasure boats, at least the great majority of them, operate them for recreational purposes. I am speaking now of the gasoline tax paid in that field.

I would like to close by making this comment: Of course, we will disagree, depending on our individual viewpoints, on the values and priorities of any of these public activities. I simply want to say, and I think it sums up the thing quite well, that it is our opinion that it is far better and certainly cheaper for the American people to build and maintain playgrounds than penitentiaries. I think we have a great social need in this field.

I would like to point out also that it is a very substantial economic factor. Outdoor recreation today is one of the major industries of this Nation. One hundred million Americans go on vacation every year. Although the West has the bulk of the public lands, a great many of the people who use that land, of course, come from the East. So I do not think the situation with respect to user fees is quite as lopsided as it may appear on the surface.

Secondly, I repeat—it is an optional tax, not a mandatory one. We applied it in our State for another reason. We concluded that if a man can afford to own and operate an automobile, he can afford a small user tax for the use of public recreational areas. Now, if you apply it to the individual, this may not necessarily be true. I think this is one of the objections that is raised in the West to this idea. They do not differentiate between the application of a user tax to the vehicle as against the individual.

With that, I would like to close my testimony.

Senator SIMPSON. Mr. Dominick?

Senator DOMINICK. Mr. Steen, is Nebraska in debt?

Mr. STEEN. No, sir.

Senator DOMINICK. Do you have an income tax?

Mr. STEEN. No, sir.

Senator DOMINICK. Do you have a sales tax?

Mr. STEEN. No, sir.

Senator DOMINICK. How great a proportion of the land of Nebraska is owned by the Federal Government?

Mr. STEEN. Not very much, Senator. I cannot give you the exact proportion. I think that the Federal Government owns less than a million acres in our State.

Senator DOMINICK. How much does the State government own?

Mr. STEEN. We have a limited acreage—about 55,000 acres, our department. We very urgently need additional acreage for these purposes. We are unable to take care adequately of the public on the acres that we do have, sir.

Senator DOMINICK. Now, why do you say that it would not be possible for Nebraska to pay 70 percent of the cost of acquiring additional lands?

Mr. STEEN. Well, Senator, I should like to point out—there has been a comment made here about the Federal Government, and what the Federal Government does and so on. I should like to point out first of all that this particular thing we are talking about is a national need—it is not peculiar to any State. And that the American people, when they go into the out-of-doors to enjoy it, they do not confine their activities or their travel to any one State. They travel the Nation over.

Now, then—

Senator DOMINICK. Would you then be in favor of the National Government taking over all the State parks?

Mr. STEEN. No, sir. I did not imply that. But what I want to say is this: The ability to raise revenue for these purposes is one problem, and the responsibility for and the need for this program is another problem. The first is the problem of the State; the second is a problem with the people.

Now, the money for this program comes from the people in each case. But we have here a distribution or allocation of 40 percent Federal, 60 percent State.

There is a Federal responsibility, in our opinion, and a need for some Federal developments as well as some State developments—as is true today. We think this is a fair allocation. But we think if we contribute the money—and, Senator, the people from our State and the people from your State will contribute this money.

Now, under the provisions of this act, it is going to be handed back to us, and we have to go out and raise another 70 percent in order to be able to use that.

In the first place, I do not think I can get that done in my State. It may be possible, but I doubt it.

In the second place, I do not think that is an equitable distribution of the money that is being allocated for these purposes, because we are attacking here a problem that is both a State and a National problem, in which both the State government and the Federal Government have the responsibility and have functions and have projects and have needs.

We think this is a good bill.

Senator DOMINICK. You want to see the Federal Government take over property in Nebraska?

Mr. STEEN. We have no objection to it. They are buying land there now, sir.

Senator DOMINICK. I happen to be very fond of your State and I am just trying to find out.

Mr. STEEN. However, I should like to point out that we do not have the problems that you have in your State. With respect to this surplus property matter—I think if the Federal Government has surplus lands and they are sold, they are sold because they are surplus. They belong to the people. The people, through their agencies, have decided they no longer need that land. If they do feel they have a need over here for another purpose—and that the conversion of real property from one place in one purpose to another place for another purpose is not a depreciation of the peoples' assets—it is simply a conversion of property from one point and one purpose to another, which I think it is a good thing to do, because in one case we have decided that the land is surplus to our needs; in the other case, we feel that we have deficiencies that should be met.

Senator DOMINICK. Let me ask you this question, Mr. Steen.

If you had to make a choice between delaying progress on the international highway program and delaying progress on this program, which would you choose?

Mr. STEEN. I do not think I have to make that choice.

Senator DOMINICK. I ask you if you did.

Mr. STEEN. I would choose the international highway, certainly. But that is not true in this case. This is financed primarily by taxes applying to people who use these areas, and it is revenue which the Federal Government does not now realize—the bulk of this income.

I will grant you that some of it you now realize. You realize income from the sale of surplus property. You do realize the income from the gasoline tax. But the bulk of this estimate is new money, and it is a voluntary tax, not a mandatory one.

Senator DOMINICK. I have not seen any schedule of fees or how they are going to be imposed, have you, in the bill?

Mr. STEEN. I do not think any schedule has been devised, sir. This is simply proposed as one means of raising revenue with which to do this job. I think it is proposed for the purposes I have just recited and for the reasons I have just recited. They do not want to dip into other sources of revenue in order to do this job.

Senator ALLOTT. I would suggest, Mr. Steen, that you take a look at the Federal Surplus Property Act and find out what it is about before you decide that you are justified in supporting sales of surplus property for this particular purpose. It has nothing to do whatever with—how can you justify—the sale of surplus property, Mr. Steen, is not what you are thinking of, the sale of forest lands or something like that. The sale of surplus property is the sale of salvaged property, in the main, of the Federal Government.

Now, make no mistake about it. It is nothing else. How can you say that you have any claim upon the sale of an airbase or a depot or an ordnance depot or something else—how can you claim that you have a claim on it for this purpose here?

What you are doing is earmarking an asset—not an income—an asset of the Federal Government. And if you want a good example of what happens to a State or any other government when they start earmarking this sort of thing, you might take a look at your neighboring State on the west, Colorado, who went through the throes of earmarking of funds for about 20 years, to its great regret, and it put a great many stones in its advancement because they committed this folly. It is a folly of the worst kind.

Mr. STEEN. Well, Senator, let me answer you this way.

In the first place, the bill here provides that the money from the sale of real property may be used, and personal property. Now, I do not know exactly what real property—real personal property—means, but I assume it means personal property which may be a part of the function or the area that is declared surplus.

Now, the conversion of that surplus property into money provides revenue which could be used for many purposes.

Senator ALLOTT. I beg your pardon, sir. That is not revenue.

Mr. STEEN. Well, all right. It is the money that belongs to the people, and if the people want to reinvest it in more land, I do not see anything wrong with that—if they want to reinvest in something that they feel is desirable and necessary.

Senator ALLOTT. I bet your boots that the people of Nebraska would not back the statement you have made here today.

You have no sales tax; you have no income tax.

Mr. STEEN. That is right.

Senator ALLOTT. Now, what you are saying here is this:

I would like to have this, and I would like to have this bill. But the people of Nebraska are unwilling to tax themselves to have these same recreational facilities, and they have the opportunity to create them.

Mr. STEEN. No, no, that is not what I said. What I did say was that we are willing to tax ourselves for this purpose. But we do not want the Federal Government to retain so much of it. We want some of it back. We want 75 percent of our 60 percent back, not 30 percent.

Senator ALLOTT. If you want this job done, why don't Nebraska do it for herself? Certainly Nebraska is held up to all of us as one of the outstanding States—and I am very fond of it, I have hundreds

of friends there—one of the outstanding States in good government, in economical government, in taxation. You have ample sources of taxation which the rest of us are obliged to assume, which you have not tapped. Yet you want the Federal Government to come in and build your parks for you and contribute to your financial assistance.

Mr. STEEN. I do not see how you arrive at the conclusion that the Federal Government is doing this when you collect the money from the people in the first place, retain 40 percent of it, and then allocate 60 percent of it to the State and say the State has to go out and raise another 70 percent in order to use the 60 percent. I mean the 60 percent is allocated to the States on a basis—if they get \$1,000, \$1,000 project, they have to raise \$700. They can only get \$300 out of the 60 percent allocation.

In other words, you are saying to me, as a State representative, that I not only have to tax my people, but in order to carry out the State function under this act I have got to go back and tax them some more.

Senator ALLOTT. Therefore you would be much better off as a Nebraskan if you did not follow any of this softheaded philosophy.

Mr. STEEN. We would be much better off if we followed the recommendations of my predecessor. On the Federal Aid and Wildlife Restoration Act, it is a highly successful program. It has done a terrific job in this field, in wildlife. We are now speaking here of the human resource and the need to do something in that field. We believe it is a meritorious act, but we believe it should be modified as recommended.

Senator DOMINICK. Mr. Chairman, could I just make one remark for the record?

I just do not want Mr. Steen's comments on the record all by themselves to indicate that those of us who might be opposed to this bill are in favor of putting people in penitentiaries instead of in parks. I frankly resented that remark.

Mr. STEEN. Well, I don't think you understood that remark correctly, sir. What I mean by this is simply this: You do not maintain, at least in my opinion, and in the opinion of many people in our State—in our field—you do not maintain a healthy society such as ours under the developments we face today, and certainly the accelerated developments we face in the future, in the next half-century in this world of ours—you do not maintain a healthy society unless you provide for that society healthy recreational outlets. In the day of shorter work hours, higher pay—

Senator DOMINICK. Mr. Steen, let me interrupt you. This is not a question of whether we are going to provide them or not. This is a question of how we are going to provide them.

Mr. STEEN. Yes. But I was answering your question. My point is that if you do not provide healthy recreational outlets, then the people will find the unhealthy ones. This is not desirable either. We have to take care of that problem. And it costs money.

Senator ALLOTT. Sir, you are filled with more cliches than a goose is filled with the proverbial stuff that it is filled with.

We have gone through centuries—and there is no implication that the ordinary man, simply because he does not have something to amuse him every minute that he lives, is going out and knock somebody over

and kill somebody. That is just what you have said. You said specifically a while ago—if you want to know what you said—it is cheaper to build playgrounds than penitentiaries.

I wrote it down when you said it.

Mr. STEEN. That is my opinion, yes.

Senator ALLOTT. It is cheaper to build playgrounds than penitentiaries—except you don't do it—this only goes half the way here.

Senator SIMPSON. Mr. Steen, I just would like to ask a question.

Do I understand that your State and your society subscribes to these changes in the law that you have presented here.

Mr. STEEN. Yes. We support the recommendations of the International Association; yes, sir.

Senator SIMPSON. The thing I cannot understand—I think some former President once said let no doubts as to the constitutionality of this measure deter you from voting for it. That seems to be the attitude of you people who say "we believe in these things, we have made an analysis and if we cannot have that, however, we will take this monstrosity without the changes made that we think are good." Is that your attitude?

Mr. STEEN. Well, I think so, yes.

Senator SIMPSON. Well, that is a peculiar attitude. It disturbs me. You want the bill regardless.

Mr. STEEN. Well, we think it can be vastly improved and be much more acceptable. But I do not, Senator, represent one State here and say that because we have problems with respect to meeting the requirements of this bill that this should nullify it—

Senator SIMPSON. It is an indication of a philosophy that I've heard—give me liberty or give me death, but give me. And you are for a bill that would indulge in any type of appropriation measures in order to fulfill a purpose that you want.

Mr. STEEN. No. I am pretty much of a states righter. I say that if my people have to be taxed to the extent that is proposed here, and we are going to get back 30 percent of the 60 percent, I would rather go out and raise some money in Nebraska and do the job myself.

Senator SIMPSON. Very well.

Any other questions?

Thank you, Mr. Steen.

The next witness will be Mr. Taylor. I might say I'm sorry that many of the committee members are not present, but they have other committee assignments. It is difficult for them all to be here at the same time. You have been most patient waiting for your turn. That goes for all of you gentlemen. We may have to cut off with you on this, because there is some prospect of a call of the Senate. So you will understand if that occurs.

Go ahead, sir.

STATEMENT OF JOHN I. TAYLOR, ON BEHALF OF THE AMERICAN FARM BUREAU FEDERATION

Mr. TAYLOR. The American Farm Bureau Federation appreciates the opportunity to appear before this committee and present its views in regard to recreation and recreation financing as contained in S. 859.

This bill, cited as the "Land and Water Conservation Fund Act of 1963," is for the purpose of providing land facilities for recreation by, first—

providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities— and—

providing funds for Federal acquisition of certain land and water areas.

Next, the bill proposes to set aside—

in a separate account in the Treasury of the United States—

certain receipts detailed in the bill. The President would then divide, as he deems appropriate, these receipts into (1) a—

land and water conservation fund * * * to assist the States and Federal agencies * * *—

and (2)—

miscellaneous receipts * * * to help offset the cost of additional lands, at Federal and federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water resource agencies.

The revenues and collections to be applied to this fund include:

(a) Entrance and user fees, (b) surplus property sales and (c) motorboat fuels tax. In addition, the bill carries an authorization—

from any moneys in the Treasury not otherwise appropriated—

for \$60 million per year for 8 years or a total of \$480 million to begin with the third full year the fund is in operation. This money is to be repaid, without interest—

beginning at the end of the next fiscal year after the first 10 full years in which the fund has been in operation—

using 50 percent of the moneys accruing to the funds each year.

These revenues will be discussed later in this statement.

At the latest annual meeting of the American Farm Bureau Federation, in Atlanta, Ga., on December 12-14, 1962, the following policies were adopted with regard to recreation and related subjects:

Efforts to increase the use of land and water for recreation should place maximum emphasis upon State and local responsibility and the participation of private interests.

Much publicly owned land can be improved for recreation.

Federal purchases of additional land for recreation should be permitted only where the need is clearly proved and with the approval of the legislatures of the States involved.

Preferably, additional land for recreation should be acquired by the States and their political subdivisions.

Federal appropriations for this purpose should be allocated to the States on a matching basis.

Problems of development, use, and public access to recreational areas can best be worked out at the local level through cooperation of all interests.

Our policies further state:

The power of eminent domain should not be used for national parks or other recreational projects and should be used with restraint in other cases.

We are opposed to the undesirable expansion in the power of the executive branch. We recommend that the executive branch exercise restraint in seeking broad, discretionary powers from Congress.

We urge the Congress to safeguard its legislative prerogatives by (1) insisting that Federal expenditures be approved by Congress on an annual basis, and (2) avoiding delegation of broad, discretionary powers to the executive branch.

In view of these policies, adopted by the elected voting delegates of our 49 State and Puerto Rico farm bureaus and representing our 1,607,000 voluntary member farm families in 2,674 county farm bureaus, may we examine the component parts of this bill, S. 859, and other reports and ideas on recreation and how it should be supplied and arrive at our recommendation with regard thereto.

The Outdoor Recreation Resources Review Commission made its report to the Congress in January 1962, after a study of over 3 years. The contents of this report and the caliber of the Commission are excellent.

Among other things, this report says:

The role of the Federal Government should be (1) preservation of scenic areas, * * * of national significance; (2) management of Federal lands for the broadest possible recreation benefit consistent with other essential uses; (3) cooperation with the States through technical and financial assistance; (4) promotion of interstate arrangements, including Federal participation cooperative leadership in a nationwide recreation effort.

The States should play a pivotal role in making outdoor recreation opportunities available by (1) acquisition of land, development of sites, and provision and maintenance of facilities of State or regional significance; (2) assistance to local governments; (3) provision of leadership and planning. This report does not propose or contemplate a vast land-buying program by the Federal Government as is possible under this bill.

In our testimony before this committee on August 14, 1962, on S. 3118 of the 87th Congress, the predecessor of S. 859, we referred to statements of Mr. Edward C. Crafts, director of the bureau of outdoor recreation, and Mr. H. G. Wilm, commissioner of conservation, New York State Conservation Department. We recommend these statements and the report of the Outdoor Recreation Resources Review Commission to your further consideration as we feel they express our point of view quite well. We do not feel that this bill implements this report.

S. 859 is an improvement over S. 3118, but we feel the committee should scrutinize this bill in the following particulars:

(1) The record of the States in establishing recreation areas must be noted. They have done an outstanding job and many States are in the process of doing much more where they are needed. We attach hereto two charts for your information. We note from these charts that in 1961, there were 2,664 State parks in operation on a total of 5,601,542 acres. The States spent \$61,296,426 for operation and maintenance and \$49,957,360 in capital expenditures, or a total of \$111,253,786 for the year.

In the meantime, individuals in all parts of the country have gone into the recreation business. But dealers, suppliers, dude ranchers, motel and lodge operators, and others associated with recreation have sprung up, in ever-increasing numbers.

We hope, therefore, it will not be assumed that nothing has been done by the States or by individuals—quite the contrary is true. We

hope that impetus may be given to the States to do more—to compete for the recreation dollar—but only as they wish to assume part of the financial obligation and managerial responsibility.

(2) On February 14, 1963, the USDA issued a release stating that—

there are 106,830 miles of trails on 154 national forests throughout this country. If a person hiked 50 miles a week, probably on Saturday so he could rest on Sunday, he could hike for 2,136 weeks, or 41 years.

The release further says:

Incidentally, there is fishing, hunting, camping, and skiing on the national forests * * *. We have trails along streambanks and over windswept peaks, through New England's white birches and southern pines, and through the virgin forests of the Northwest and the deserts of the Southwest.

What is more—

the Secretary noted—

they are within a half day's driving distance of almost every American family.

To put it another way—if everyone wanted to hike—it might be noted that these 106,830 miles of trails would accommodate, if spaced 3 feet apart, 188,020,800 people. Or if spaced 4 feet apart, 141,015,600 people. And then they could fish, or hunt, or camp, or ski—along the way.

(3) We have just received another release from USDA dated March 1, 1963, showing the new recreation areas which have been established under title I of the Agricultural Act of 1962. Such areas, according to the release, have been established in 27 counties in 13 States. There are many more of these to come. While again we believe there is room for some such recreational areas, we suggest that it can be easily overdone and become unprofitable. It could mean the loss of farms through overborrowing if the endeavor proves to be economically unsound and unsuccessful. The total number of farms listed is 44 comprising 5,877 acres, and of this only 1,794 acres is cropland. So it would seem that this is not an overly effective method of removing cropland from production.

These three items prompt us to ask these questions—Are we really as bad off for recreation areas in this country as the many promoters of recreation would have us believe? Are the Federal agencies promoting recreation as interested in this endeavor as they are in promoting the agency in this field? Granting that some additional recreation is needed in some places—is it necessary that all Federal agencies get into the act, as seemingly most are? Wouldn't it seem wiser and more sound if we first learn to live within our Federal income—relieve our people of a staggering tax burden—and leave most of this development to private interests? Also, is it necessary, as some seem to believe, that it all has to be done at once?

(4) There has been a definite trend in the direction of Federal ownership of property. We have nearly 30 agencies in the land-buying business in varying degrees, not 2 of which operate under the same laws or rules and regulations. The House of Representatives has recently created a Select Subcommittee on Real Property Acquisition.

of the House Public Works Committee. We feel that this is a good step in the right direction and that Federal land buying should be curtailed until this report is completed and considered.

Farm Bureau full recognizes the fact that some public recreation is needed. The question is, How, when, and in what places these needs should be provided. We know that the rapidly expanding population, the shorter workweek, the increase of leisure hours, the ease and convenience of travel, the popularity of water sports and recreation generally make additional recreational space imperative. But this does not mean that every Federal agency should take on recreation as a specific project, or that meeting the recreation need is a primary responsibility of the Federal Government. We do not believe it is.

(5) Much has been said in recent hearings concerning the constitutional right of the Congress to delegate its authority in the handling of public lands. While this is a legal question, we are convinced that Congress does not have that right. It has been upheld many times.

Our great concern is not whether or not the Congress has this right, but rather, whether it should be or should not delegate such wide range of broad authority to the executive branch. As indicated in our policies set forth above, we do not believe it should. Our reasons are quite simple.

The Congress is the only hope of the people of maintaining a sound representative government. While there are and have been many dedicated public servants in the executive branch, they are not as amenable to the will of the people as the Congress. It is unfortunate but true, that many are only interested in promoting this or that agency—and the Congress must be the stabilizing influence.

We hope, therefore, that the Congress will set all policies strictly and that the executive branch will only administer the laws that the Congress passes and as the Congress intends.

(6) In section 3 of the bill, giving authority to the President to divide the moneys between the land and water conservation fund and the miscellaneous receipts, there is no determination or designation of the amounts to go into either. The first, the land and water conservation fund, is to be used to assist the States and Federal agencies. The second, miscellaneous receipts, goes to Federal and federally assisted water projects. This division is left entirely to the President. It is possible, therefore, that none of the funds would go into the first account or that none of the funds would go into the second account. We are not sure that any of the funds would go to the States.

(7) In section 4(a), allocation, we observe that this fund is to be used for both State and Federal purposes—60 percent for the States and 40 percent for the Federal—but by a further provision could be 45 percent State and 55 percent Federal. It could also be 75 percent State and 25 percent Federal. But we must note that if none of the revenues were allocated to the land conservation fund by the President in section 3 of the bill—there would be no funds available to match State funds.

(8) This bill proposes to raise new revenues; transfer existing income; and to keep funds, that are now refundable under present law, to create this fund.

We have no position as to the handling of these specific items and will make no comment. However, we will comment on the overall plan of handling Government moneys. It is estimated, according to a release of the Bureau of Outdoor Recreation, dated February 15, 1963, that these sources will yield about \$147 million per year. This is a right smart sum. Furthermore, moneys not expended from the fund would remain in the fund and would continue to build up and could develop into an enormous amount.

It is also true that while expenditures from this fund would have to be appropriated by the Congress—we have learned from experience that these are easy appropriations to make. The money is there so why not appropriate it? We believe that if such revenues are created they should go into the Treasury and, as our policies state, "Federal expenditures be approved by Congress on an annual basis."

(9) We note further that moneys under section 6 may be allocated for "threatened species" and "recreation at refuges." This follows from the language in section 3(b), miscellaneous receipts.

We observe that this is one of the broad fields in which the Congress has delegated its authority—the field of land buying by the Fish and Wildlife Service.

Even though the money used, to buy land in this instance, comes from the sale of duck stamps—plus an authorization of \$105 million by the last session of the Congress, without interest for 7 years, to be repaid from duck-stamp money, the Congress has given blanket authority to buy land—subject only to the approval of the Migratory Game Commission and the Governor of the State.

We believe that any land proposed to be purchased for public use should be authorized by the Congress and funds should not be earmarked for special purposes.

We were recently informed of a case in the Wabash Valley, Ind., where 10,000 acres is proposed to be taken for a game refuge. This is some of the most productive land in the State. We do not feel this is the type of land that should be put to this use. We commend the Migratory Game Commission for holding up this purchase pending further study.

(10) In regard to the allocation of funds to the States in section 5(b), we do not believe that such authority for distribution should be given. Under this authority one-fifth of the funds available to the States could be used at the discretion of the Secretary of Interior.

With due respect to the present Secretary, this is unsound in principle and would allow money to be apportioned to such States as one man dictated.

(11) We are appreciative of the provisions of the bill contained in section 5(c) matching requirements and also the provisions of section 6 (b) and (c). This would mean that none of the Federal money could be used for the purchase of additional land at Federal or federally assisted water development projects and that these funds could not be used for acquisition of land unless such acquisition is otherwise authorized by law. These are good provisions.

(12) We do not believe enough emphasis has been placed on developing the land already owned by the Federal Government. This, it seems to us, is the field of the Federal Establishment—and eliminate additional Federal land buying. We recommend this possibility to the committee.

Finally, Mr. Chairman, in view of our policies; in view of the vast differences between those policies and the terms of this bill; in view of what has already been done by individuals, local governments, State governments, and by the Federal Government, and what these groups are already planning to do; in view of what we feel is or should be the congressional responsibility in this as in other fields—we respectfully recommend the disapproval of S. 859.

We sincerely appreciate this opportunity to present our views.
(The tables referred to follow:)

Trends in State park operations (1946-60)

Item	1946	1954	1955	1956	1957	1958	1959	1960
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Expenditures (total).....	100	318.1	356.7	426.3	479.2	474.0	571.5	565.7
Salaries and wages.....	100	381.1	408.1	444.5	501.2	571.0	603.8	668.4
Supplies and equipment.....	100	330.5	359.5	420.9	435.9	482.8	549.9	605.3
Lands.....	100	162.8	172.4	186.8	150.0	235.7	462.9	376.9
Improvements.....	100	527.1	663.9	934.1	1,194.9	808.8	973.7	825.9
Funds available for expenditures (total).....	100	309.3	333.5	426.1	599.1	652.1	672.8	634.5
Appropriations.....	100	216.3	253.4	289.1	521.5	429.9	381.2	404.7
Other funds.....	100	753.3	716.1	1,077.1	921.1	1,712.2	2,056.0	1,722.3
Revenue from operations (total).....	100	318.1	335.6	357.6	388.2	442.8	504.4	549.8
Operated facilities.....	100	453.2	473.8	534.3	592.2	681.6	750.2	836.6
Concessions.....	100	281.1	306.1	322.2	352.9	372.8	382.5	411.5
Entrance and parking fees.....	100	833.9	883.1	935.2	893.7	1,094.1	1,065.9	1,257.9
Other.....	100	396.9	417.3	371.9	151.6	423.1	597.2	747.3
Attendance (total).....	100	179.9	198.0	215.2	234.3	256.5	275.9	280.0
Number of employees (total).....	100	186.5	205.1	224.9	232.2	250.7	250.9	263.7
Year round.....	100	184.2	204.2	218.2	227.4	241.4	251.4	267.5
Seasonal.....	100	188.2	205.7	229.0	235.6	257.3	250.7	261.0
Number of areas.....	100	128.6	132.8	137.2	144.7	152.5	158.9	174.0
Number of acres.....	100	108.0	109.7	111.5	113.2	116.6	122.6	120.9

Source: National Park Service.

LAND AND WATER CONSERVATION FUND

State activities in recreation and park development

	State parks	Acreage	Employees, 1960	Operation mainte- nance, 1961	Capital ex- penditures, 1961	Total, 1961	Bonds	Attendance, 1960
Alabama.....	46	42,333	66	496,402	20,000	516,402	-----	2,910,975
Arizona.....	4	114	4	44,272	30,200	74,472	-----	48,000
Alaska.....	4	2,603	4	119,925	35,000	154,925	-----	480,000
Arkansas.....	15	19,190	13	275,950	262,357	538,307	-----	3,114,800
California.....	175	691,752	854	9,197,291	15,649,052	24,746,353	150,000,000	2,476,356
Colorado.....	14	9,108	17	111,253	131,461	242,714	-----	651,093
Connecticut.....	74	21,958	106	888,477	763,304	1,651,781	-----	4,497,058
Delaware.....	5	3,745	11	87,600	15,000	102,600	-----	588,783
Florida.....	49	72,150	160	1,084,271	462,945	1,547,216	-----	3,195,136
Georgia.....	42	36,083	105	698,698	326,639	1,025,337	-----	3,449,218
Hawaii.....	20	6,245	16	119,381	176,710	296,091	-----	272,395
Idaho.....	25	17,489	14	67,633	70,736	138,369	-----	790,000
Illinois.....	86	52,379	294	2,300,000	2,000,000	4,300,000	-----	8,378,571
Indiana.....	35	45,126	208	1,310,825	500,000	1,810,825	-----	2,864,311
Iowa.....	52	95,651	54	383,624	838,329	1,221,953	-----	6,851,847
Kansas.....	32	35,595	415	2,650,000	75,000	2,725,000	13,000,000	4,400,000
Kentucky.....	122	12,218	122	538,492	-----	538,492	-----	1,669,160
Louisiana.....	17	205,106	26	283,181	648,426	931,607	-----	1,691,119
Maine.....	32	18,123	26	460,055	2,431,958	2,892,013	-----	4,913,130
Maryland.....	20	32,043	128	1,740,987	1,534,000	3,274,987	-----	2,312,436
Massachusetts.....	44	182,615	243	2,454,924	446,585	3,002,459	10,000,000	19,105,440
Michigan.....	79	100,343	66	635,292	446,585	1,081,877	-----	3,213,620
Minnesota.....	69	13,635	43	285,500	68,704	354,204	-----	1,015,985
Mississippi.....	15	72,257	67	698,245	262,399	960,644	-----	6,044,124
Missouri.....	36	9,129	9	185,350	64,650	250,000	-----	3,385,500
Montana.....	23	28,786	31	312,000	157,000	469,000	-----	3,791,866
Nebraska.....	66	10,179	7	62,059	50,000	112,059	-----	155,887
Nevada.....	10	43,697	83	1,242,028	296,355	1,538,383	-----	2,349,497
New Hampshire.....	40	26,900	268	1,729,187	818,492	2,547,679	-----	6,399,374
New Jersey.....	40	5,112	28	1,593,500	295,250	1,888,750	60,000,000	1,388,707
New Mexico.....	7	195,870	1,682	12,401,401	7,596,020	19,997,401	75,000,000	31,073,757
New York.....	107	36,060	57	593,316	50,000	643,316	-----	1,758,767
North Carolina.....	66	3,191	9	103,000	50,000	153,000	-----	475,500
Ohio.....	113	67,045	398	3,594,117	3,103,038	6,697,155	-----	18,638,479
Oklahoma.....	37	67,018	182	1,810,303	292,745	2,103,048	-----	8,995,308
Oregon.....	170	165,122	328	1,804,782	1,247,000	3,051,782	-----	10,918,466
Pennsylvania.....	157	8,489	174	859,204	1,840,308	3,645,180	-----	21,771,411
Rhode Island.....	75	8,501	16	321,328	108,565	429,893	-----	2,597,330
South Carolina.....	28	48,301	60	521,328	13,000	534,328	-----	3,203,189
South Dakota.....	143	94,315	82	435,000	13,000	448,000	-----	4,311,700
Tennessee.....	140	131,325	187	1,181,498	158,339	1,339,837	-----	3,859,624
Texas.....	61	62,601	30	414,519	123,301	537,820	-----	7,286,318
Utah.....	17	7,298	32	181,605	812,027	993,632	-----	524,550

Vermont.....	38	15,565	29	244,618	14,000	258,618	-----	734,626
Virginia.....	14	25,956	41	363,850	227,497	591,347	-----	1,079,125
Washington.....	119	77,657	145	1,444,753	1,465,099	2,909,852	-----	7,058,021
West Virginia.....	25	40,711	44	1,078,115	1,510,000	2,588,115	-----	1,940,413
Wisconsin.....	38	19,241	64	701,159	90,000	791,159	-----	5,383,948
Wyoming.....	41	152,004	4	35,000	20,000	55,000	-----	691,327
Total.....	2,664	5,601,542	1,691	61,296,426	49,957,360	111,253,786	-----	259,001,001

Senator ALLOTT. Mr. Taylor, I want to thank you for a very fine statement, a very fine analytical statement of this bill, which points out some of the great weaknesses in it. I have no questions.

Senator SIMPSON. I just want to endorse what the chairman said. Mr. Taylor, I want to commend you on that great statement. I recommend it for compulsory reading to both the Department of Agriculture and the Department of Interior. It is a very good analysis of the bill.

Senator DOMINICK. I have no questions. I want to endorse Mr. Taylor's statement as being a very fine analysis.

Senator ALLOTT. Gentlemen and lady, if there is anyone here who is in a very, very tight situation as far as time is concerned, and they can terminate their statement in a very short length of time, we would be very happy to hear you. But otherwise—is there anyone here in that situation?

If not, the hearing will be recessed until 10 o'clock tomorrow morning.

(Whereupon, at 5:05 p.m., the hearing was in recess, to reconvene at 10 a.m., Friday, March 8, 1963.)

LAND AND WATER CONSERVATION FUND

FRIDAY, MARCH 8, 1963

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:20 a.m., in room 3110, New Senate Office Building, Senator George McGovern presiding.

Present: Senators McGovern (presiding), Nelson, Allott, Simpson, and Dominick.

Also present: Benton J. Stong and Oscar Neilson, professional staff members.

Senator MCGOVERN. We have Mr. Binford, president of the Izaak Walton League of America, as the first witness for today.

Mr. Binford, you may proceed at this time.

STATEMENT OF L. C. BINFORD, NATIONAL PRESIDENT, IZAAK WALTON LEAGUE OF AMERICA; ACCOMPANIED BY BOB DENNIS, ASSISTANT CONSERVATION DIRECTOR

Mr. BINFORD. Mr. Chairman, I am L. C. Binford of Portland, Oreg., national president of the Izaak Walton League of America. The league is a nationwide organization of citizens devoted to the wise and proper management and use of America's natural resources, and to optimum realization of the varied outdoor recreation opportunities which those resources provide. We appreciate this change to state our views on S. 859.

I have a prepared statement which I would like to submit for the record, but with the Chair's permission, I would like to depart from it.

Senator MCGOVERN. Very well.

(The prepared statement of Mr. Binford is as follows:)

STATEMENT OF L. C. BINFORD, NATIONAL PRESIDENT, THE IZAAK WALTON LEAGUE OF AMERICA

Mr. Chairman, I am L. C. Binford of Portland, Oreg., national president of the Izaak Walton League of America. The league is a nationwide organization of citizens devoted to the wise and proper management and use of America's natural resources, and to optimum realization of the varied outdoor recreation opportunities which those resources provide. We appreciate this chance to state our views on S. 859.

Mr. Chairman, the league supports the basic principles and purposes of the land and water conservation fund bill. This support was formally stated by resolution of our 1962 annual convention. We should like to submit to the committee a copy of this resolution.

We do have a few comments and suggestions regarding certain sections of the bill, not to criticize it, but to assure realization of its purposes as we see them.

Our first point relates to section 2(a), and is best stated by directly quoting league policy regarding recreation user fees: "There should be established systems of charges for recreational use of public lands and waters, such systems to differentiate between fees charged for simple enjoyment of the outdoor environment and those charged for the use of developed facilities or for special services. Revenues from these charges should be utilized to expand opportunities for outdoor recreation, to develop recreation facilities, and to assure proper management. User fees should not be designed for the purpose of controlling recreational use of an area, nor should they be so high as to deny recreation opportunity to any portion of the public."

Thus, we endorse establishment of recreation fees, and their use as provided by section 2(a) of S. 859. We also endorse the provision of that section which pertains to the rights and authorities of the States with respect to fish and wildlife, and the provision that the bill shall not authorize Federal hunting or fishing licenses.

With reference to section 2(c) and section 7, we note that nowhere in the bill is the word "motorboat" defined, nor is the tax on marine fuel identified as a recreation user fee, which is the way we regard it. The bill might perhaps be clarified in this area to prevent misunderstanding.

We note that under provisions of section 4(a), up to 55 percent of the land and water conservation fund could be devoted to Federal purposes. It is certainly possible that because of the time required to prepare comprehensive plans, the States might be unable to qualify for a large share of the fund during the first few years of the program. And the league believes that the States should be required to prepare comprehensive recreation plans before becoming eligible for Federal acquisition and development grants. We believe also that there should be flexibility in division of the fund between Federal and State purposes. On the other hand, we know that ORRRC's 3-year study clearly showed that the greatest needs and responsibilities in the field of outdoor recreation lie at State and local levels. The league therefore wishes to emphasize that it regards S. 859 as a vehicle by which the States and their political subdivisions can and must be encouraged to act to expand recreational opportunities within their respective areas of responsibility. Recognizing both this major purpose of the bill, and the fact that section 3(b) would allow the President to use considerable program revenues to help offset costs of additional lands at reservoirs, it would seem advisable to require that the greater share of the money available under the bill be appropriated for State purposes.

The problem of proper Federal-State relationships comes up again in section 5(c) of the bill. We believe that this section provides inadequate incentive to the States, and point to the ORRRC report which recommends greater Federal matching contributions in all program sectors.

We further object to that provision of section 5(e) (2) which, during the first 10 years of the program, limits total grants to the States for development to 10 percent of the total moneys annually available. We believe that project grants to each State should be based on its needs as determined by comprehensive planning, and not on any arbitrary formula. In this regard, we feel that section 5(d) (2) should make it clear that State recreation plans and programs shall be based on evaluations of long-range needs of the people, and shall set forth project priorities determined by those needs.

The league endorses the provision of section 5(f) that no Federal project grants shall be made to a State or locality without prior assurance that the State or locality will operate and maintain the lands or facilities involved at its own expense. We see this whole program as one of wise planning and appropriate action to provide the necessary physical base for outdoor recreation. Should the people of a State or locality be unwilling to maintain their share of that base, then Federal money should better be invested elsewhere.

Even with this primary interest in State and local programs, we recognize existence of considerable Federal needs. We therefore support the purposes of section 6. We note that this does not itself authorize establishment of any new Federal recreational areas, but does provide financing for acquisition of lands within areas otherwise authorized by the Congress.

We support the provisions of sections 6(b) and 3(b) that funds made available under S. 859 for acquisition of additional lands at reservoirs, shall be used only to acquire additional lands for public recreation and fish and wildlife enhancement. Funds for purchase of lands for mitigation of values destroyed by reservoir construction should come from other sources.

Mr. Chairman, the Izaak Walton League believes that the recreationist should pay for his use of public lands. We believe that outdoor recreation programs of all kinds and at all levels must be expanded and accelerated. We believe that the major needs lie at the State and local levels, as ORRRC so clearly indicated. We believe that the States and localities must recognize this and act accordingly, but we further believe that it is in the national interest for the Federal Government to stimulate State and local action. We believe that this bill should be more generous to State needs. With that emphasis, we endorse S. 859.

The league thanks you for the opportunity to appear today.

Mr. BINFORD. I would also like to introduce Bob Dennis, on my left, the assistant conservation director of the Izaak Walton League.

Mr. Chairman, the league supports the principles and purposes of this bill. And this support was formally stated by resolution of our 1962 convention. And I would also like to submit a copy of this resolution which supports this type of legislation.

(The resolution is as follows:)

RESOLUTION OF THE IZAAK WALTON LEAGUE OF AMERICA

ADDITIONAL RECREATIONAL FACILITIES

Whereas the various agencies of the State and Federal Governments have for many years been struggling with wholly inadequate financial resources in their endeavors to manage, improve and perpetuate the valuable fish, game, and outdoor recreation resources assets of the United States; and

Whereas the time has come when other sources of revenue must be found if fish, wildlife, and outdoor recreation resources are to be maintained on a scale necessary to meet expanding recreational needs of the public; and

Whereas President Kennedy has recently announced a broad new recreational program based upon the findings of the Outdoor Recreation Resources Review Commission and has requested the Congress to advance funds to initiate this program; and

Whereas additional funds to carry on a continuing program would be collected from various sources related to but not now financially assisting fish, game, and recreational activities: Now, therefore, be it

Resolved, by the Izaak Walton League of America, in convention assembled this 23d day of June 1962, at Portland Oreg., That we endorse and support in principle the President's broad program which would for the first time require all users of our public waters and lands, to assist in financing outdoor recreational resources and programs; and be it further

Resolved, That implementing legislation include suitable provision for full participation by and financial assistance to the State agencies under the well established principles of the Pittman-Robertson and Dingell-Johnson Acts.

Mr. BINFORD. I have a few comments and suggestions regarding certain sections of the bill, not to criticize it, but to assure a realization of its purposes as we see them.

Our first point relates to section 2(a), and is best stated by directly quoting the league policy regarding recreational user fees. And I am quoting from a declared policy of the league:

There should be established systems of charges for recreational use of public lands and waters, such systems to differentiate between fees charged for simple enjoyment of the outdoor environment and those charged for the use of developed facilities or for special services. Revenues from these charges should be utilized to expand opportunities for outdoor recreation, to develop recreation facilities, and to assure proper management. User fees should not be designed for the purpose of controlling recreational use of an area, nor should they be so high as to deny recreation opportunity to any portion of the public.

Now the league has not approved of any specific method of collecting a user fee or assessing a user fee. However, as national president of the Izaak Walton League, I made a speech in Colorado last September 29 called "Recreationists Too Must Pay." And with the

Chair's permission I would like to quote some parts of this speech into the record.

Senator McGOVERN. Go right ahead.

Mr. BINFORD. Thank you.

I comment that a position that I think would be sound as far as the league is concerned as to what type of a recreational fee could be charged. Let me quote just a bit from the speech.

I said:

We of the Izaak Walton League and recreationists in general, have for years been charging the governmental agencies of "giveaway" of our public lands, the timber, grass, and minerals found thereon.

Never have we complained that the recreation, including fishing and hunting, and passage over trails, waterways and roads was for free. In fact we have vociferously demanded better access trails and roads, and boat ramps, and gates, and that other uses be limited, even eliminated, that we might have even a greater use.

We have said these uses that give us pleasure are a national right of citizenry, and that the Government should provide us these facilities and open spaces for our enjoyment.

I continued:

Now it's time we recreationists start paying our own way.

There are those who say our paying should be only for such facilities as an established camp where substantial improvements are offered, or to use a ski lift, or for a boat ramp, but that we should pay nothing to use the land for hunting, fishing, hiking, boating, picnicking, etc.

This limited pay idea coupled to physical improvements overlooks the fact that to manage, provide roads, trails, and to give the county and State something in lieu of taxes, is as much an expense to the taxpayer as is the campground.

I further continued:

All recreational users should pay. A simple method would be to require all users of the public lands to have in their possession a stamp costing \$2, to be purchased at the post office, as are duck stamps. Children under 16 should be exempt. The stamp would be good in any State on Federal lands.

Perhaps I should describe the thinking as to stamp. We do not literally mean a stamp in the sense that we talk about it as a stamp that would go on a letter, but more in the nature of an identification card, with possibly a serial number on it, a place for self-identification where your name could be written, your signature, your age, your height, your weight, the color of your hair, so that someone looking at it with you standing before them could readily say that you are probably the person that that particular stamp has been issued to.

It would not prevent the land management agency from making an additional charge for a campground or a ski lift or other extraordinary uses.

The Forest Service last year reports 102 million visits for recreational use.

The Corps of Engineers claims 120 million visitors last year.

Figures for the Department of the Interior, excluding the national parks, indicate about 46 million visitors on Bureau of Land Management, Fish and Wildlife, Bureau of Reclamation, and Indian lands.

National park visitors already pay a fee.

As one stamp would cover visits to all public lands excepting the parks, its probably a safe guess to put the annual sale at 75 million stamps. Play safe and say 50 million. This would produce \$100 million.

That is the end of the quote from the speech that was entitled "Recreationists Too Must Pay." The speech has had a rather great deal of publicity in the newspaper and has been freely commented upon. Some of the editorial comments have been favorable. Certainly it has been commented on with great interest. As a result of it, I have had a great deal of correspondence, and I have not had any correspondence that is negative to the idea. There has been correspond-

ence, and delegations have called upon me, from particularly western fish and game commissions, with some uneasiness that such a personalized fee might in some form tend to take the place of a hunting and fishing license, and the States would lose some of their traditional rights to fish and game. And someone suggested to me that I call to this Commission's attention their fears that in some way this bill might weaken their rights to fish and game. Section 2(a), in my opinion, adequately takes care of this. But I am reasonably certain that the committee will have called to its attention by some of these western fish and game commissioners and people on their behalf their continued uneasiness. They would like an out-and-out statement of their right to fish and game and their right to regulate it.

Yesterday we heard discussions as to a tax on automobiles, a user fee on automobiles. If I might make a little comment as to the comparison of the two methods, the user fee which I have called to your attention would be an individual sort of a fee. It would, in my opinion, cause the individual who receives it to feel a sense of responsibility for his public lands. Some of this has been reflected in the buyers of the migratory water fowl stamps, so much so that many have bought extra stamps just to help the cause. Some have even bought the year-old stamps just so the fund would be that much greater for the particular thing.

And you are aware that the Audubon Society on a voluntary basis has asked that they and people that go on to the fish and wildlife refuges be assessed a user fee by stamp method somewhat simpler. And their argument is the same way, that it would add a sense of individual responsibility.

Now, I would like to call to your attention that any user fee will be resisted. There has been this traditional right of free use, and as to anything that takes it away, human nature being as it is, there will be a certain amount of resistance. And there will have to be an educational period before people freely accept it.

At the invitation of the congressional committee, I met some 25 years ago at Mount Hood in Oregon, where the question they put to me as a leader in the recreational field was, Can we set up a user fee? At that time I told them the public would not accept it. Today it is my opinion that the public will accept it, with a proper educational program.

Now, the act does provide for penalties, jail sentences, and fines up to \$500, for violation. I am not sure whether it should be put in the act, but by some method we certainly ought to enforce this in its first 2 or 3 years of existence, with something in the nature of a warning for violation, rather than throwing people in jail or assessing heavy fines. It might even be spelled out in the act for a period of 2 or 3 years that persons violating should be given a warning and a chance to go purchase the proper use stamp.

As we analyze the bill, the user fee is the new revenue that is now present, the only part that is entirely new. The marine fuel tax, keeping all of that and assigning it to this fund, is not a new source of revenue. It is true that it has been one that has not been perhaps used for the purpose for which a person who pays it might have anticipated, and this would seem to be in keeping with the idea that those who use the highway should help to pay, those who use motor

fuel for recreation on our waterways should pay, and it is entirely proper that that 4 cents go into the fund.

There is one weakness in the bill, it seems to us, and that is that it is not fully spelled out that the tax is for recreational use of marine fuel. True, diesel is excluded, but it is probable that the bill should definitely say that this tax is on the motor fuel that is used for recreational purposes.

Now, as to the other source of revenue to finance this bill, in surplus property some of us have long been disturbed that the surplus property, the capital assets of the United States, are disposed of and going into operating funds, and in fact our capital is often spent as an expense of the operation of government. It seems entirely sound that this property, this capital of ours, our surplus lands, be transferred to other capital assets. As we understand the operation of this bill, the entire fund being created to build a capital asset, not as an operating account. So the transfer of one capital asset to another would seem entirely in order in keeping with this bill.

Now, as to the purposes of the bill, this is a bill to get the States to provide recreation. If we do accept the ORRRC report for its face value—that is, the emphatic part of the report—that the deficiency is in the States, and that the States should and must carry the major load of providing recreation for the people.

Then if we are to get the States to do it, the first thing that we want the States to do is to develop a comprehensive plan, not just start spending the money, we want them to develop a comprehensive plan. Most of the States have had no comprehensive plan, they have had piecemeal planning. So this is an effort to encourage them, to stimulate them to set up the proper machinery within their States to do comprehensive planning. And when there is a comprehensive plan that is acceptable, then according to that plan they should have money for certain purposes. And the two purposes are to acquire land and to develop recreational facilities.

The present bill, in our opinion, definitely limits which of those uses shall get certain percentages of the money. We feel that if a State has developed a comprehensive plan for carrying out the purpose of this act, and that plan is approved, they should have money to carry out that plan whether it be for acquisition or whether it be to develop recreational facilities. Certainly they should not be limited to 10 percent for development.

Obviously, as this thing first commences, the planning would be the major expenditure. Then it would seem, in some States at least, to call for acquisition of land. Nature development might be later. In other States it might be just the other way, because they already have the lands, and all they need is the development—I should say first they need the land and then they need the development.

Now, the bill definitely says that the State must give some satisfaction, some indication that they are in a position to operate and maintain the recreational facilities or plan, or whatever they developed, that this is a State operation. As we read the bill, and as we understand it, there is no intention here of the Federal Government to provide or to maintain operating recreational facilities within the States.

We think the division, then, of money should be very flexible, and the States should have the most of it.

The Izaak Walton League believes that the recreationist should pay for his use of public lands. We believe that outdoor recreation programs of all kinds and at all levels must be expanded and accelerated. We believe that the major needs lie at the State and local levels, as the ORRRC report has indicated. We believe that the States and localities must recognize this and act accordingly. We further believe that it is in the national interest for the Federal Government to stimulate State and local action. We believe that this bill should be more generous to State needs. And with the emphasis I have indicated, we do endorse S. 859.

In the nature more of a question, because I do not know the answer, I would like to ask the committee if there is any reason why under section 2(a) military land and TVA land have been left out. And I have not been able to get the information. It may be available. If not, perhaps some inquiry should be made why military land and TVA land have been left out.

Thank you.

Senator McGOVERN. Thank you, Mr. Binford, for your statement, which is very helpful. We are of course very interested in what you have to say because of the background and experience from which you speak. And I am sure the committee will look into the question which you have just raised.

I have some comments and questions that I would like to raise just briefly. But before I do that I would like to defer to one of the senior members of the committee, Senator Allott.

Senator ALLOTT. Mr. Binford, I would just like to ask you a couple of questions.

Thank you, Mr. Chairman.

First of all, have you ever known of any surplus property sales personally?

Mr. BINFORD. Yes, sir.

Senator ALLOTT. And what were they?

Mr. BINFORD. The ones that I am familiar with are surplus properties left over from the military period.

Senator ALLOTT. Well, by and large, the sales of real property, surplus sales, are sales which are made from property which we had to acquire as a result of our military efforts one way or another. It is not in any sense a new income to the Federal Government as, for example, a user's fee, or a motor fuel tax would be. And I understand you do support the user's fee. Just at that moment I had a hard time hearing you. Is that correct?

Mr. BINFORD. Yes; very definitely. I feel that is the very basis of this. And if you did not get my remarks, I would be glad to repeat them.

Senator ALLOTT. No; just that particular moment—

Mr. BINFORD. It has been a long-established policy.

Senator ALLOTT. I wasn't sure of what your position was. But I can't understand how anybody with any concept of accounting can justify picking up surplus property accounts, which are assets of the Government, and putting them in this. Now, there is no tie-in. All you are doing is tying up and pigeonholing funds, which is one

of the most dangerous things that any government can do. Now, if this is able to stand, it should be able to stand on its own feet. And I will say very frankly that I think that the Izaak Walton League can do more good by itself in 1 year than this whole act will do in 5 years. And there are other organizations which can also. I don't think this is necessary. You have people dependent upon the Federal Government, leaning on the Federal Government. It will be through the Federal Government. And by the time you get back the money that the States have paid in one way or another in this, 25 to 40 percent of the money is going to be dissipated in overhead in the Federal Government and Government employees in the Government bureau. And I simply can't see it. I certainly can't see what justification there can be for putting the sales of surplus property, which you said yourself, and which is true, come from the military services basically, into this area. We need them to run the Government. In fact, we are at a very critical situation in this Government today. I don't see how we can justify taking this money that we need to salvage—and that is what it is, it is not a surplus sale, it is a salvage for the Federal Government—and we need this money to run the Federal Government.

Mr. BINFORD. Senator, let me say first of all that the recreationists that we in the league may speak for would be most happy to have these services furnished free, as has been the traditional right of the American people, to be paid for out of tax funds, as they have been. And in many respects it makes sense, because it is indicated that nearly 90 percent of the people use recreational facilities on these public lands at some time or the other. So if the money came from taxes, I suspect that it would certainly be equitable. But for years—and we in the Izaak Walton League for some 4 years have been working with this—have endeavored to get additional funds for some of this recreational development, and Congress has constantly turned us down on the basis that they just didn't have the money. Now, much of this development that is necessary is on Federal land, and yet what we are suggesting by this type of an act will tie the States into it and require them to operate in the plan, while if we left it to the Federal Government the Federal Government would have to do its own maintenance and operation. So it seems to me that this is a program to lessen the Federal Government's responsibility and put a greater responsibility on the State.

Now, as to these surplus lands, I quite agree with you that this in certain respects is only a bookkeeping type of a transfer of assets from one source to another. And yet it would seem to me that it is a rather logical thing, even though there be surplus property, there are capital assets of the Government, and when we put them into other capital assets that create new capital, we have not used up the assets of the Federal Government, and if the Federal Government kept books as we as individuals in business do, there would be no depreciation, no decline of our capital; it would not have been treated as a new expenditure.

Senator ALLOTT. Under the bill you have no assurance that that is going to happen. I don't agree with your statement at all. When you look at what purposes the capital assets were created for in the first place, which is something completely unrelated to recreation, you

are jerking it out and putting it in recreation. Now, if you are going to do it in a field like a motor fuel tax for a motorboat, that is one thing. But a service fee or an entrance fee is another. But you might just as well say a portion of the cigarette tax would be devoted to this—and I would go stronger with you on that than I would on your surplus property, by the way, it makes a lot more sense to me that the people who advertise cigarettes—

Mr. BINFORD. Being a nonsmoker, Senator, I would join with you in assessing these other fellows who smoke.

Senator ALLOTT. And another thing, Mr. Binford, which appeals to me. We are from the West—where are you from, sir?

Mr. BINFORD. Oregon. I could be a little farther west than you, but not much.

Senator ALLOTT. I understand. It seems to me that we in the West already bear, despite the mineral leasing laws, and so forth, which don't compensate us, that we already bear a very heavy burden in our States because of the ownership of Federal land. I need only mention the fact that we have to provide police services, we even provide fire services in actuality, not theoretically, provide police services, provide educational services, provide public roads, at a great expense beyond what the States who do not have so much public land do. Now, we are also going to have entrance admission fees—we don't know what they are going to be—but I must confess that I am sure the people in my State, and I think the people in yours, would be a little reluctant, considering the more than average expense they are bearing because the Government owns, I think, about 30-plus percent of your State—

Mr. BINFORD. They own over half of it.

Senator ALLOTT. Over half of it—would be a little reluctant to pay an entrance fee to national forests.

Mr. BINFORD. I think, Senator, there is no question that you are right, that many of the people will object at first. On the other hand these people that have been making use of migratory waterfowl stamps, when they found that the use was to improve the land, have thus enthusiastically continued to support it and have even asked that the fee be increased, because it was going to something that they wanted done.

Now, as to this user fee, suppose the formula was as I indicated, \$2 a person, in the form of a stamp, for people over 16. If you will make an analysis of the user of public land, you will find that we in the Western States wouldn't fare so badly. The greatest use on the public lands that would produce this fee is not in the West. It would be our first thought that it is, but it is not. And even in the West, it is the outsider who would pay a very substantial portion of this. You see, even in the case of Yellowstone Park, I am just talking in generalities now, more people go through Yellowstone Park each year and pay this kind of fee than there are people in the State of Montana and Wyoming. So it must be outsiders who are paying a large portion of the fee. I could give you the figures here, if you care to have them, on areas that produce much more fee than we would produce in the West on our public lands. We just don't have the people where the account comes up. So this user fee would be producing money in the East, the larger portion of it, and the Midwest. It is a rather startling figure, Senator.

Senator ALLOTT. I suspect that in some instances at least this would be true. I know that in Colorado we have a substantial portion of the tourist people in Colorado in the summer who come from States which are not public land States or so-called public land States, not the 11 Western States anyway, they come from Missouri, Kansas, Texas, down in that area, Louisiana, and up into Iowa.

Well, I just wanted to bring out this point about surplus property, because I just simply cannot agree with you or the other witnesses on any logical basis that this surplus property money should go to this account.

Mr. BINFORD. Senator, the league wouldn't argue the point with you at all. We feel very sincerely a fund needs to be created. If I presumed that the authors of this bill felt that was a good device to create a fund, as far as we in the league are concerned, we think the constructive source of revenue would be the user fee. If you want to get some other device than surplus property, we would have no quarrel with that position whatsoever.

Senator ALLOTT. You are thinking yourself, you and the league, primarily, then, in terms of programs a \$2 fee?

Mr. BINFORD. That is a personal representation, because the league has not taken a formal action upon it. The league has taken an action approving a user fee system. It just happens that I can't see that an automobile as such uses the public domain, and to make it the taxing unit didn't seem to me to be the proper device. It is the people who use it. And I think by a user fee to the person you would get an individual feeling of responsibility and a greater cooperation and willingness to pay over a long period of time than you would if you simply used the device of putting another sticker on an automobile.

Senator ALLOTT. What would you do, Mr. Binford, from a practical standpoint—I don't know your State too well, I have been there—

Mr. BINFORD. It is a beautiful State, sir.

Senator ALLOTT. It sure is, very beautiful. But what would you do in a State like your own where you have a national park, and a person goes to the national park, and then he goes on across the mountains and goes into perhaps one forest area, and then on across to another forest area, so that in crossing the State he goes through, we will say, a national park and two forest areas—which he could do in our State, I am sure he could in yours easily, too—how many times are you going to charge a man for doing this?

Mr. BINFORD. No, Senator; a user fee such as we have recommended—and I believe as it has been considered by others—is one fee that is good in the entire United States, whether it be for a Federal dam that is in the State of Virginia, or whether it be for a national park in Colorado, or for Yellowstone Park out in Wyoming and Montana—one fee to go anywhere in the United States.

Senator ALLOTT. This is what you are thinking of, good for the season—

Mr. BINFORD. A universal fee on all public land anywhere.

Senator ALLOTT. This would say that a man could go through Carlsbad Caverns, and goes through Yellowstone, or Estes Park, or Mesa Verde—all the same fee in the same year.

Mr. BINFORD. All on one fee.

Now, we should again perhaps point out that should he use a campground that has highly developed facilities, or attach his trailer to the electricity, or something of that sort, he would still pay a fee for that, or occupying a cabin. But the use itself, the right to be there, is common to all the areas.

Senator ALLOTT. Yes; for a camping place—well, I don't know, you get into trouble there.

Mr. BINFORD. Well, I think it would depend on the degree of development. If there is a development that provides rather highly developed service, the Park Service or the Forest Service or other agencies ought to be entitled to charge a fee for that extraordinary service. And there might have to be some measure of it. I would suggest, however, that any bill that authorizes the user fee not attempt to collect a user fee for major traffic ways, major highways passing across public lands. You see, you get the situation there that the man is not crossing the last for a recreational purpose. So perhaps purpose gets into it. But I think it would be desirable to clearly exempt from a user fee the use of major highways that weren't built for recreational highways, major public highways that go through public land.

Senator ALLOTT. How would you administer this? I am thinking of one area in Colorado, and I am only using this because I can't speak specifically of areas in one State. If you were to leave Pueblo and Denver and drive over into the San Luis Valley and from there over to Wolf Creek Pass into the Durango area and from there over into Mesa Verde, how are you going to administer it from a park standpoint when people go in and out from two national forests as they do in this instance, maybe here, how are you going to administer the cost of the thing and say, "Well, are you going to camp or not?" Are you just going to trust their word?

Mr. BINFORD. No. I think, Senator, there is no particular problem to that. The areas that have highly developed recreational facilities will have to have some device of their own for collecting that, just as they do now. That is already established. But as to a check as to whether or not he has paid his user fee or national fee, if you want to call it that, one that would permit him to go anywhere on public land, that would just be an occasional spotcheck. Never in my life have I been checked for a migratory waterfowl stamp, but every so often some people are checked and some caught for not having one. And I know that fact—I buy it anyway; but I know that the very fact that there is an occasional check has enough of a deterrent so that people do buy that stamp. I think here an occasional spotcheck would do it. It would take some educational work to do it, just as it did in the migratory waterfowl.

Senator ALLOTT. You must have an honest face. I have been checked many times.

Mr. BINFORD. There is a difference. I was riding a horse; you were riding around in a jeep.

Senator ALLOTT. One of the things I was wondering about is the policing of this thing.

Do you have any idea as to how many additional personnel this would require?

Mr. BINFORD. I don't think it would require any additional number, because you are not going to make anything except a spot check—I suppose it would take some personnel. But I suppose the personnel assigned to do the job could be personnel assigned to other duties. So I do not think that the number would be substantial.

It probably would cut in slightly, but a very small percentage of the actual take.

Senator ALLOTT. You don't really think that there is such a thing in the Park Service as the part-time duty in addition to the other duties, do you?

Mr. BINFORD. Yes, I do. Here you have assigned some park personnel to the policing of their principal recreational areas, they do that now. And the same person does a bit of spot checking, asks them for their recreational use card, and their identification. And that would be incidental to other work.

Now, maybe in a few areas where there is great use they undoubtedly would check everyone—at the gate of Yellowstone, I imagine that under this plan, instead of selling tickets as they do now, why there could be some guard there who would ask for your identification—that itself, you see, would be almost enough to take care of it.

A check at the entrance at a new national park or a new national forest area would take care of them, at principal areas. I don't think it would take any great number of personnel.

Senator ALLOTT. Thank you very much, Mr. Binford.

Senator MCGOVERN. Senator Simpson?

Senator SIMPSON. Mr. Chairman, I didn't have the benefit of all of your statement, of Mr. Binford.

But just to press this other matter a little, Mr. Binford, were you here at the time the Secretary of the Interior and the Secretary of Agriculture appeared the other morning?

Mr. BINFORD. Yes, I was, sir.

Senator SIMPSON. I take it that you are out of accord with them with respect to this one fee for all the parks and forests?

Mr. BINFORD. No, I am in accord for one fee that would cover all recreational use on public lands. I would disagree with the Secretary of the Interior when he suggested we might exclude pedestrians in the wilderness area.

Senator SIMPSON. How would you allocate these funds to this bill which proposes to have matching funds from States; how would you work out an allocation of these vast areas all over the United States, especially in the West?

Mr. BINFORD. Senator, I would rather not give exact formulas, but I would like to give the guiding principle. First of all, under this bill—and it can be found here in the bill—if the intent of this bill is that States set up a comprehensive recreational development program, and the States do that, not the Federal Government, if the States set up a development program, when they have set up a program, an approved program, then under it they can have funds for two purposes, acquisition and development.

We do not believe that the allocation that is now set up is proper. We think that once the comprehensive plan has been set up by the States, they should not be limited as to whether it is development funds or whether it is acquisition funds.

Senator SIMPSON. May I interrupt just to ask, would you then agree with the report of the ORRRC committee that the States are the pivotal ones to handle it?

Mr. BINFORD. Absolutely.

Senator SIMPSON. Which is very similar to the wonderful job your association did in conjunction with the Park Service in Wyoming at the Jackson Hole Refuge in my State of Wyoming.

Mr. BINFORD. It would defeat the purpose entirely if the Federal does not give it to the States.

Senator SIMPSON. Would you still remain, even in the light of your being for the bill—suppose the Department arrogates to itself the so-called flexibility of handling these things rather than the States as the bill recommends, would you still be for the bill?

Mr. BINFORD. Yes. I think the Department needs some flexibility, because the needs are going to vary in the first few years, especially in the planning stage. States may not be quite ready, they may not have a plan where they could do development, and where they could acquire—and during that period it might be a proper period for the Federal Government to step in and do a bit of buying that the Congress would have to authorize.

Senator SIMPSON. In the light of the tremendous expenditures in Government today, and the fact that we are approaching the \$308 billion deficit, and probably this Congress will be asked to raise the debt ceiling to \$320 billion, as we are told, and in the light of the fact that over the years the principal attributes of this bill have been administered by both the Forest Service and the Park Service, would you be willing to eliminate any appropriation from the Treasury until such time as we can cut these expenditures to match our economy?

Mr. BINFORD. Senator, you are getting over into some affairs of the Government in which I do not feel competent to advise. I, too, as a taxpayer of not too small proportions, I assure you, have worried about this.

I know I couldn't operate on a deficit myself in my business. And I have an uneasiness for the Government about it. And that is one reason that in this particular bill we make a rather strong plea for the user fee, because we think that we people who use the public lands ought to pay for our use.

Senator SIMPSON. Would you be willing to recommend an elimination of any appropriation from the Treasury under this bill until such time as we are able to get our budget more in balance and use just the user fees that we recommend?

Mr. BINFORD. Senator, I think this is a field that is getting a little beyond either my knowledge or experience. I don't believe I could advise.

Senator SIMPSON. Perhaps that isn't a fair question.

Let me ask you this: You have made some recommendations here to the Department with respect to S. 859. If those recommendations are not accepted, as many of the recommendations of the report were not accepted in the drafting of this bill, would you still be for the bill?

Mr. BINFORD. Senator, we would like to know what changes were made.

But the bill in principle is so sound that if the purpose of the bill isn't changed, we would support it.

Senator SIMPSON. Even if they fail to recognize the proposals, would you have made the changes?

Mr. BINFORD. Yes, I believe we would.

Senator SIMPSON. I don't understand that attitude in all the witnesses, but it seems to be inherent in each of the agencies who are proponents of this measure. And I simply don't understand that you would take a bad bill rather than no bill, when already, the authority is vested in the departments to do the necessary work in protection of these recreational areas, and there is an outdoor recreational bureau in the Department.

Mr. BINFORD. Senator, without this bill there is a serious gap, there is a vacuum in the States. And that vacuum is going to continue unless the Federal Government does something to fill it. This bill is a method of filling a vacuum.

Senator SIMPSON. How does it fill it, Mr. Binford, any more than the departments have authority to fill it today? We have been getting along all these years, and suddenly they want to now make another bureau and copy some 10 or 12 bureaus that have handled this thing, and they will continue to handle it.

Mr. BINFORD. I wouldn't agree that we have been getting along all right all these years.

I could give you a definite example, though it would be a little time consuming.

But I can give it to you without just a little reference. In my own State it is much like your own. We have all the Federal agencies working in my State. They all own land there. They all are doing some stages of recreational planning, and planning for other uses, other phases of multiple use. We have a multiplicity of State agencies doing some phase of the planning. We have fish and game departments.

There is no comprehensiveness to the plan, there is no unity. And that is true of almost every State of the Union today, there is no comprehensive recreational planning going on within the States, and even the States recognize it, the government of my own State has called a conference of all these bodies, including the Federal agencies, to discuss this very problem, the lack of cohesion, the lack of comprehensive planning at times.

As you know, Senator, there has even been some conflict between the agencies themselves over recreational planning and other phases of planning.

So what we need in the States is a comprehensive recreational plan, that is the first stage of this bill, that is the essential. There must be a plan by which every State and Federal agency proceed to develop the recreational facilities of the State for the public of the United States.

So this is an effort to get the States to do it. If we don't get the States to do it, we are going to be leaving the Federal Government with more and more carpetbagging bureaucracy of going into the States and doing the job.

Senator SIMPSON. Your answer, then, seems to be that you advocate another bureau to do what already—

Mr. BINFORD. The bureau, I believe, exists. I don't think that is a requirement. I believe the bureau exists.

Now, in the States there is no question that the States need to get some agency within their group. And most States are rapidly proceeding to do this very thing, of delegating either one agency in any State or creating a new one that can have the authority to develop a recreational plan and work with the Federal Government and private industry and all in developing a plan.

Those States are doing this. But some of them aren't. But a little bit, if you want to call it that, matching money—although they are not really matching, we are just taking it from the States and matching it—but this bill will do it, we believe it will, it will get the States to develop a plan, and, in effect, it will relieve the Federal Government of much responsibility and place it in a State where we think it belongs.

Senator SIMPSON. Thank you, Mr. Chairman.

Senator MCGOVERN. Senator Dominick?

Senator DOMINICK. Mr. Binford, when the duck stamp was put on, did the bill provide for loans from the Federal Treasury prior to the buildup of the fund?

Mr. BINFORD. To my memory, it didn't. But I need to refer—

Senator DOMINICK. I was just asking for information. I do not know.

Mr. BINFORD. I think not. As I recall, it did not. At the time it was a pay-as-you-go program, of using the proceeds. And then as years came along and wet lands were rapidly being lost, which were the lands we wanted to buy with duck stamp money, we asked Congress to loan us, in effect, some money.

Senator DOMINICK. That was recently?

Mr. BINFORD. That was recently.

Senator DOMINICK. Yes; I know we have done that recently.

Mr. BINFORD. And we upped our stamp another dollar, didn't we, at that time, to accelerate the repayment?

Senator DOMINICK. Right.

Secondly, on your provision for a national fee for recreational uses on public lands, suppose you have a car going into Yellowstone Park, as an example—let's not take Yellowstone, let's take Rocky Mountain National Park—would each of the people in that car have to have a stamp in order to be permitted in?

Mr. BINFORD. By this recommendation that I have made, that would be true, if they were over 16 years of age. If we were to use the recommendation heard here yesterday, of an automobile, I presume if there was a sticker on the car, everybody in the car would be included, whether it be a busload or one person.

Senator DOMINICK. I am trying to get your thought. Your thought is that each person in the car would have to do it?

Mr. BINFORD. Yes; right. The suggestion was that if they were over 16. That could be varied. In the judgment of the committee, they thought 18 was a better age. The reason we used 16 was, we used it for the migratory waterfowl.

Senator DOMINICK. You would have to set up checking stations in each of the public areas, wouldn't you, to do it?

Mr. BINFORD. I would think that checking stations in areas like parks would be desirable. I would think the Park Service would want them for no other reason than to acquaint the people with other regulations for use in the park, such as no firearms, and so on.

So I presume they would check.

The problem would become much greater in areas of only rather limited use, and where it wouldn't hardly justify keeping it there.

I would think occasional checking would be the rule in most of the areas other than principal recreational areas.

Senator DOMINICK. Is it your feeling that the method of charging fees should be spelled out further in this bill?

Mr. BINFORD. When I first saw the bill, my first reaction was, I would be very reluctant to pass this bill and send it back to my constituents, if I were a Senator, without having some idea of what the fee was going to be that my people were required to pay.

I would think I would want to have at least some guidelines in it; yes, sir.

Senator DOMINICK. Thank you, Mr. Chairman.

Senator SIMPSON. Mr. Chairman, may I just ask one question?

Senator MCGOVERN. Senator Simpson.

Senator SIMPSON. In the light of your statement here on page 3 of your report, you say:

Even with this primary interest in State and local programs, we recognize existence of considerable Federal needs. We therefore support the purposes of section 6. We note that this does not itself authorize establishment of any new Federal recreational areas, but does provide financing for acquisition of lands within areas otherwise authorized by the Congress.

Now, that disturbs me some. And I would like to get the attitude of your league. Does the Izaak Walton League believe that the accent on recreation and coordination between the States and the Federal Government should be toward development of the presently owned acres, or the acquisition of new land?

What do you mean by that?

Mr. BINFORD. Do you mind if I ask Bob Dennis to answer that?

Senator SIMPSON. No, go ahead.

Mr. DENNIS. Senator, I think that right now in a number of Federal areas, some national parks certainly, and a lot of national forests—

Senator SIMPSON. Have you been introduced and given your name for the record?

Mr. DENNIS. Yes. I am Robert Dennis.

I think that it is very clear that in a number of Federal areas now, there are holdings of private lands where it would appear to be better if they were acquired by the Federal Government. We believe that this is what Congress had in mind when it outlined the boundaries of these areas.

And we think that the money provided by this bill should be used in part to fill those boundaries out.

Beyond that, I think that, yes, we may very definitely want to have some new areas, but all these would come before this committee for looking over. I think that in the East, particularly, there are now a number of areas which are regarded as having national significance for recreational purposes which perhaps should be brought into the Federal system.

We would think that, again, this bill would finance acquisition of lands.

Senator SIMPSON. Would you even propose that to the extent of the Federal Government condemning the land for the purposes of this act?

Mr. DENNIS. Well, I think that, again, might vary from area to area. I believe that we can't make any blanket statement here, we would have to wait and see exactly what these proposals look like.

And, again, that particular provision would come before the committee. I think that certainly there are a number of different ways by which the Federal Government acquires land. And one of these ways is condemnation. And in places where that were necessary, we would support that.

Senator SIMPSON. I couldn't quite get the purport of that section.

But you do, then, advocate the acquisition of land outside of the areas already in the department or Government ownership?

Mr. DENNIS. Yes, sir. But this is not a blanket approval. Again it would depend on individual proposals which would come before the committee for review.

Senator SIMPSON. Thank you very much.

Senator MCGOVERN. Mr. Binford, I just wanted to observe here briefly that I am impressed with your statement today. I happen to feel very strongly that the user fee is a practical and worthwhile manner of financing improved recreation.

I notice you said in your statement that 15 years ago you were of the opinion that the public would not accept that kind of an approach, but now you are of the opinion that they would.

What are the factors that have led you to that conclusion?

Mr. BINFORD. Of course, 15 years ago the idea had never been proposed. We hadn't really got accustomed too much to the migratory waterfowl use. And we had a much more independent attitude, when I think about it, as to people. We looked upon hunting, and that was our principal outdoor recreation 15 years ago in the West, at least.

These other fields of activity, of recreation, have moved in more in the subsequent years in requiring more substantial development.

So it has just been a general attitude of people, a consciousness that if we want these things we ought to help pay for them.

Now, Mr. Chairman, there will still be resistance. But it will not be enthusiastically received. It is going to take a little effort to get a mass reception of user fees.

Senator MCGOVERN. I was interested in the observation of Senator Church yesterday, one of the ablest members on the committee, but I was somewhat surprised at his analogy between the user fee and barbed wire. He said that this proposal might set off as much resistance as we had a century ago with the introduction of barbed wire.

My impression is that one of the great development factors in the West is the introduction of barbed wire. And if this user fee can do as much to develop the West as the barbed wire fence has done, then I think that is an argument in favor of it.

Isn't it true that the American people recognize that this is a growing country, we have got a fast, expanding population, and we have raised our standard of living to the point where more people can travel and use our public facilities, and this places a new demand

on those facilities, it creates a need for expanded recreational opportunity, and we are going to have to look around for new sources to finance these things?

Mr. BINFORD. I think there is no question about it, Senator. That seems to be entirely sound, the people who want these things ought to be willing to pay as much for an annual use, say, as the price of two cocktails in a Washington bar or a half dozen packages of cigarettes, for an annual use.

Senator MCGOVERN. I had some figures come to my attention here the other day, that we are now spending in this country over \$10 billion voluntarily on alcoholic beverages. I am not making any moral judgment on that, but it is just a fact, that we are spending something over \$10 billion voluntarily on alcoholic consumption in this country.

And we pay a pretty stiff tax, the American people pay a pretty stiff tax on that consumption.

We are spending about \$7½ billion on tobacco, and we pay a tax on that, a user's tax.

And we are spending over \$3 billion on toilet articles and preparations, and we pay a tax on that, a user's tax.

It just seems to me that people who are interested in seeing the recreational opportunities of this country grow as our country grows would be willing to pay the price of a carton of cigarettes once a year for the privilege of visiting any public facilities that they want to anywhere in the country.

Isn't it true that some years ago a person who wanted to hunt waterfowl or grouse or pheasants or anything else could do that without paying and fee at all?

Mr. BINFORD. That is right, there didn't use to be any license. We spoke of a change in personal attitude. Ten years ago we were almost unconscious of litter, and there suddenly developed a public consciousness, and we must keep our outdoors clean.

So that there is a feeling of individual responsibility about litter that has grown tremendously in the past 3 or 4 or 5 years, again a sense of individual responsibility.

I think individuals are assuming a greater responsibility for public lands, and certainly a greater consciousness of their ownership of public lands.

A user fee could only give greater emphasis to that responsibility, and I would hope a higher regard for the property and use for it.

Vandalism is still a problem.

Senator MCGOVERN. I think yesterday Secretary Freeman and Secretary Udall both made the point that the introduction of this user fee system would be one additional way to carry on something of an educational program for the American people, and also to give them a sense that they are investing in their own recreational program, when they purchase that stamp.

Do you think that this is a valid point?

Mr. BINFORD. I think the card itself could be a tremendous factor. In looking at it you could probably dig out a half dozen cards that have your name on it and identification. I have one here that I write my own name and my own address, I write my signature, I have the date, I have age, I have sex, I have weight, I have height, and I have complexion, and on the back of it there is some instructions to me that tell me about my rights.

I think the card itself could be a real opportunity in conservation, and instilling in the individual a feeling of responsibility for the public land, in an annual issue it could be that very thing.

Certainly it would take a well thought of educational program.

And I do, Mr. Chairman, hope that in the first 2 or 3 years of it we can avoid heavy fines and jail penalties for violators until we get the thing firmly established in the public mind.

Senator McGOVERN. Senator Nelson, do you have any questions?

Senator NELSON. In your fourth paragraph you refer to the fact that—

There should be established systems of charges for recreational use of public lands and waters, such systems to differentiate between fees charged for simple enjoyment of the outdoor environment and those charged for the use of developed facilities or for special services. Revenues from these charges should be utilized to expand opportunities for outdoor recreation, to develop recreation facilities, and to assure proper management. User fees should not be designed for the purpose of controlling recreational use of an area, nor should they be so high as to deny recreation opportunity to any portion of the public.

Did you discuss how you would define the limits of this system before I got here?

Mr. BINFORD. Yes, Senator, in some detail. I believe the record has well answered it.

Senator McGOVERN. Thank you very much.

Mr. BINFORD. Thank you, Mr. Chairman, and members of the committee.

Senator McGOVERN. The next witness is Mr. Joseph Kaylor, the Association of State Park Directors. Mr. Kaylor, if you are ready, we will hear you at this time.

STATEMENT OF JOSEPH F. KAYLOR, PRESIDENT, AMERICAN ASSOCIATION OF STATE PARK DIRECTORS, ANNAPOLIS, MD.

Mr. KAYLOR. My name is Joseph V. Kaylor. I am the president of the American Association of State Park Directors, and I appreciate this opportunity to present our case today, as an agency in charge of State parks.

Mr. Chairman and members of the committee, I wish to speak today in behalf of Senate bill 859 as chairman of the Executive Committee of the Association of State Park Directors representing the 50 State park directors who are actively engaged in park and recreation area planning acquisition and development. The authors of S. 859 are to be commended for their interest and forethought for introducing this bill. The land and water conservation fund bill is very timely legislation to aid the States in meeting our needs for planning, land acquisition, and development of all types of facilities which are needed at present and will be a requirement for the immediate future.

The State park systems of the country have well over 200 million visitors each year. Those close-in areas have many more visitors than the national parks or national forests simply because they are generally much more accessible. However, the national parks and national forests serve a growing need for outdoor recreation which in many instances cannot be supplied by State parks. The grandeur of our national parks and the extensive natural areas of our national forests fill a need for something different in the out-of-doors which is

being only partially filled by visitors to the State-owned systems of parks.

Today I would like to call your attention to the fact that we are anticipating a great many more visitors to the State parks due to the fact that in the Northeast with its more than 50 million inhabitants we must supply to the workers in industry, offices and other forms of employment wholesome outdoor recreation on a very large scale. The same applies to the populous centers in the Midwest and to a very marked degree to the increased industrialization and likewise increase in population in the Southern States.

Although the 17 Western States may feel the national parks and national forests supply a large portion of their needs, there is a growing shortage of developed areas in these Western States. This is particularly true where population has built up beyond all expectations thus creating a need for more outdoor recreation sites within the individual State borders.

I would like to point out that on the west coast, California, Washington, and Oregon, particularly, they are striving to keep ahead of this population surge. They feel a need for a system such as is called for in S. 859.

We believe S. 859 offers early expansion of these areas and facilities far beyond the present capabilities of the State because the visitors are coming from either neighboring States or some far distant point and become the guests of the State in which the recreation sites are to be found.

I might add that here the system of interstate highways is throwing a great load on our State parks where they are near the borders to another State. And we have not planned for these out-of-State visitors. It becomes a regional problem, and we believe that this is a place where the Federal Government should join hands with the State and try to at least help alleviate the condition by the same system that we apply to interstate systems of roads and many other features in government.

The majority of State park systems are not self-sustaining thus a financial burden is placed on the host State by the influx of visitors from distant States.

We are now also confronted with the fact that the expanding population with a predicted greater disposable income, longer vacations and an extended system of interstate roads, which I mentioned, and highways will create an unexpected load on State recreation facilities. We are confident there will be many more millions of this type of visitor to the State parks than we have had in the past where the vacationers had been predominantly the homefolks. The idea of an entrance or user's fee for visitors is an excellent way in which to collect funds to be used in supporting public outdoor recreation. The idea is not new; many of the national parks have collected an entrance fee for years.

From our experience in State park programs some form of charge should be made to aid in maintaining the facilities which recreation users expect to find in all publicly owned parks or recreation areas. The addition of funds from the sale of surplus property and motor

fuels tax to the land and water conservation fund will give many States a supplemental sum with which to work.

The basis for apportionment for the one-fifth which becomes a floor under the program for all of the States is a recognition of the need not only in the smaller States but will aid those who are just beginning a system of State parks and recreation areas.

The three-fifths to be apportioned on the basis of population of the individual State to the population of the United States places emphasis on the need for recreation funds in the much more critical areas in approximately 20 percent of the States.

It is our understanding that these four-fifths will receive State matching funds in proportion to their needs. Likewise, the last one-fifth will be determined by the Secretary as to how it will provide the greatest benefits based on need.

We firmly believe there should be an active committee of experienced conservation, park and recreation officials from the organization of the State departments charged with this work to advise the Secretary of the apportionments of this last one-fifth.

Senator SIMPSON. You added something to that statement at the end of the first paragraph on this statement :

Work to advise the Secretary of the apportionment—

Mr. KAYLOR. Of this last one-fifth.

Senator SIMPSON. Thank you.

Mr. KAYLOR. Payments to any State shall cover not more than 75 percent of the costs of planning projects and not more than 50 percent of the costs of acquisition and development that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary.

One of the far-reaching effects of S. 859 requires a comprehensive State plan for outdoor recreation which will provide the guidelines for cooperation between the Secretary of Interior and the respective States. This, we believe, would be a step forward to (1) initiate the development of a comprehensive plan by the State agency, (2) to have the proper agency of that State to represent and act in all transactions regarding outdoor recreation.

The fact that the State will be required to inventory its outdoor recreation resources and also develop a plan for it is very timely and we believe represents one of the greatest achievements of the outdoor recreation review commission which has submitted its report after many months' deliberations.

We in the State park and recreation area field believe that the acquisition of land and water facilities and the development of them should go hand in hand with the Federal grant-in-aid as proposed in S. 859.

Federal grants-in-aid coming from the land and water conservation fund will aid us materially. The program will affect us much more materially if the financial assistance proposed on page 9, lines 20 to 24 be amended to read :

That the Federal share shall be 75 percent with 25 percent from the States for planning acquisition and development projects.

We recommend the amendment to include not only State parks facilities but assistance to all types of State and local recreational units. We feel very strongly and believe that the program cannot advance unless we have a much increased share of Federal funds which we believe will bring about much earlier results than are now anticipated.

We in the Association of State Parks urge your committee to give favorable consideration to the amendments to S. 859 and trust that it will be enacted into law.

Thank you very much.

Senator MCGOVERN. Mr. Kaylor, the committee is grateful to you for your statement.

I have just one question. You mentioned that your association is in general support of the idea of the user fee system to help finance this program.

The witness who preceded you, Mr. Binford, suggested a system of charging the individual user some kind of a fee, perhaps a \$2 annual fee. The Secretary of the Interior yesterday seemed to imply that a system whereby an automobile would be tagged with a sticker, presumably, would admit anyone riding in that car.

Do you have any feeling about these two possibilities, as to which might be more practical?

Mr. KAYLOR. Senator, we believe that the sticker on the car would be the simplest form of collection. It would be sold at all parks or recreation areas, national forest parks, and picnic grounds, where we have to maintain personnel on the ground to answer the questions of the visiting public.

The idea of a sticker has been tried out in a number of States—and I think they are very successful in their operation of the sticker use—which admits anyone to all State parks within that State. Some of them started off with a dollar fee, and the public was so enthused over the results of it, with clean campgrounds that were provided and clean picnic grounds, that it has been raised, and in some States it is up to \$2 a year.

It is a windshield sticker on the back window so that it identifies that car as having been admitted to that particular park or recreation area.

Senator MCGOVERN. Thank you.

Senator NELSON?

Senator NELSON. You say that the bill proposes up to 50 percent matching funds on recreational planning.

Mr. KAYLOR. We believe it should be raised.

Senator NELSON. You think it should be increased over the proposed 50 percent?

Mr. KAYLOR. That is what I meant to imply. Perhaps I didn't make it clear. We think that the planning phase should be speeded up so that all States will get in their plans and avoid much of the criticism that is coming from our taxpayers today. We turn people away from campgrounds where we should have increased facilities, they are asking that we speed up the program as much as possible, and they are willing to pay for it.

But many of the visitors today, as I said in the beginning, are coming from without our State. But we have made provision for them.

Senator McGOVERN. Senator Simpson?

Senator SIMPSON. Did you hear Mr. Binford's testimony?

Mr. KAYLOR. Yes, sir.

Senator SIMPSON. Mr. Kaylor, as I understand it, the league advocates payment of the user fee and a license, so to speak, which would be one fee for all places within the United States. I understand from your testimony here that you advocate a fee in a State which would carry a person anywhere within the confines of the park and other recreational areas of the State. Am I right?

Mr. KAYLOR. No, sir; I want to clear that point, if it sounded that way.

The present experience in the individual States, where the sticker system has been used, applies only to that State. I wanted to clear up Senator McGovern's question.

It is our understanding that the sticker fee—the user's fee being exemplified by a sticker on the car—would admit the car and its occupants into any federally owned area in the country, park, or forest.

Senator SIMPSON. But you would reserve to the State the right to charge fees for its own State park, would you not?

Mr. KAYLOR. Yes, sir.

Senator McGOVERN. Senator Dominick?

Senator DOMINICK. What do you do in Maryland? Do you charge a fee to go into the State parks?

Mr. KAYLOR. Senator, we charge a parking fee for cars. We tell folks that if they leave their car at home we will admit them free. It is the car that causes us a great deal of the problem. And when they come in with five occupants, which is generally the number today, there are so many station wagons mixed up in the traffic, the number goes up, though the next car may have only two or three persons in it, but it is the square footage of parking space that must be taken care of that runs up our costs in providing the facilities in the parks.

Senator DOMINICK. In general, how are the State parks supported? Is it by appropriations from State legislatures?

Mr. KAYLOR. Generally, yes, sir. They have a fund to provide for the beginning of the operation, and then certain fees are charged in many of the parks.

Senator DOMINICK. Most of them do charge fees, though, do they not?

Mr. KAYLOR. I think you will find that the majority do, and particularly so in camping areas, the fee varies from \$1 in some cases. In our own State we charge generally \$2 a night for camping, because we provide a modern toilet facility and other refinements in the camp grounds.

Senator DOMINICK. You still find problems in making the park self-sustaining, though, I gather, from your statement?

Mr. KAYLOR. Yes, sir. We haven't have been able to provide facilities fast enough for our own folks, plus the fact that we are playing host to many other folks. For instance today—

Senator DOMINICK. Wait a minute. That is not my question.

On existing parks and recreation areas, you still find that the use of fees do not support them, is that correct?

Mr. KAYLOR. That is correct.

Senator DOMINICK. So that it would be safe to assume, then, that the use of fees in this case plus the other fees, are not going to be supporting the increased amount of recreation area that would be supplied?

Mr. KAYLOR. I will answer your question this way, Senator. The heavy load that is placed on the existing facilities is wearing them out, to the point where our costs are mounting, whereas if we spread those people over a greater area, we would not be faced with a high maintenance cost, and, as a result, we could increase the number of users at a low per capita cost—lower per capita cost.

Senator DOMINICK. That is contrary to Mr. Ford's theory, then, which was, the greater the production the cheaper the cost.

We have in Colorado a proposal at the present minute which is generating a great deal of heat, you might say, to try and assist the financing of State parks and recreation areas with fishing license fees and hunting license fees, and to coordinate the two bureaus into one.

Are many States doing this, do you know?

Mr. KAYLOR. Senator, that was used many years ago. I know here in the East, fish and game funds as such did support part of the State park program. In the Midwest it was used to a marked degree in the early days, but I think we have gotten away from that, as a principle.

Senator DOMINICK. The fish and wildlife people in general have supported this bill, and I can well understand why.

Would you not think that the fees that they pay should also go into this on a nationwide basis?

Mr. KAYLOR. Yes, sir. The bill is so drawn that fish and game agencies can participate.

Senator DOMINICK. I am talking about duck stamps, for example. Is there any reason why that shouldn't be under this?

Mr. KAYLOR. I wouldn't want to speak to that point, because that is not in my field.

Senator DOMINICK. You state in your prepared statement that the bill would be a step forward in initiating the development of a comprehensive plan by the State agency. Why? Why can't the State agency initiate its own plan?

Mr. KAYLOR. Senator, I dwelt at considerable length on the need for regional coordination of our State park and recreation facilities. There is that need existing today, and it is going to grow greater as our transportation system is improved, with faster automobiles and people with much more leisure time. The weekend use is going to pyramid up to the point where there will be many more people that leave on Friday night and get back on Monday morning. Therefore, we need a plan for each State showing what it is going to do.

And there needs to be coordination in that planning. And that is where I think the Federal Bureau of Outdoor Recreation should be the agency that we work with on a cooperative basis.

Senator DOMINICK. Now, we have such a commission set up by Executive order now in the Interior Department. Would this be the agency which would take on coordination of this type?

Mr. KAYLOR. I don't think so. They are all Federal agencies, and I think there should be State representation, and that is the reason I mentioned in one particular case, in the division of funds, that last one-fifth of moneys that the Secretary should have an advisory committee made up of State agencies to advise him on that distribution.

Senator DOMINICK. I gather you are the president of the association, is that correct?

Mr. KAYLOR. Yes, sir.

Senator DOMINICK. How many States are preparing plans at this point, do you know?

Mr. KAYLOR. I made a check on that recently, Senator, and there are about a dozen of them that are in some phase of preparing plans today.

Senator DOMINICK. Have the State park directors in the other States recommended that such plans be prepared, do you know?

Mr. KAYLOR. We discussed this matter at our meeting last fall, and it was generally agreed that it was the best idea to get their individual plans, but to coordinate them with the regional or national agency.

Senator DOMINICK. I want to say one thing, and I hope to make it quite plain, and I don't know whether we have or not. That those of us have been questioning in some degree quite sharply the people who have been witnesses are far from those who are opposing the outdoor recreation. I would suggest that probably we engage in this as much as anybody, and are well aware of what the values of it are.

Our basic question is more fundamental, and that is, is this a Federal need—in view of all the other needs—that we have, that must be put into effect right now, or is there some way in which we can stimulate planning without taking over the cost of running a program of this kind? And this is what I am trying to get your advice on.

In other words, suppose we said in a bill of this kind that the Interior Department committee or commission, or whatever it is, shall be the coordinative agent to work with the State park systems in the various States, and with an advisory committee from them, to stimulate State planning for additional outdoor recreation areas, and doesn't go any further than that, what effect would this have?

Mr. KAYLOR. Senator, if we limit it to planning and do not provide for activating that plan, it is going to leave a great many States more or less up in the air.

Some of the poorer States wouldn't be able to proceed with the program.

Senator DOMINICK. Which States?

Mr. KAYLOR. I think you will find that some of the States that started late in the program—I would not be able to enumerate them here at the moment—but from my experience, I know the whole country as a whole, and I have worked in every State—

Senator DOMINICK. I want to assure you, Mr. Kaylor, that there isn't any State in the United States that is as poor as the Federal Government. That is our problem.

That is why we are so concerned about this.

Mr. KAYLOR. This element of coordination, Senator, is one that I think we need to give considerable thought to. And that is the reason that I think the Federal bureau is necessary to aid us, first, as you outlined, in getting a master plan for the country.

The ORRRC only scratched the surface in pointing up the problem.

Now, we want to put some flesh on that outline which they have given to us showing how we can meet the need, and especially due to the fact that we have much more idle time on our hands as a nation of workers or whatever we may be, retired folks, and we are trying to give those folks an outlet so that we can use their time to the best advantage.

And, therefore, I think the program should contain some provisions for speeding up the activities of providing land and facilities in all of these areas, especially where we have population centers.

Senator DOMINICK. Well, I don't want to be in the position of arguing, because what we are trying to do is get more information rather than to argue.

But just yesterday Mr. Steen was on the stand, from Nebraska. Nebraska has need for additional State parks. It is a beautiful country. It has only part of the taxes that a great many of the States around it have.

And the question is, Should you impose taxes on neighboring States in addition in order to take care of Nebraska?

It seems to me that this is a quite fundamental thing, and if Nebraska wants these State parks, they have the necessary revenues to put them together. And I think this is a very fundamental question that I don't really feel has been approached by the witnesses here.

I am just as much in favor of additional outdoor recreational areas as anybody. I think there is a great need that we have. And the question is not whether we will get them, but how are we going to get them.

Mr. KAYLOR. Senator, I can give you a classic example there. In my own State we play host to a great many visitors from the District of Columbia. And if we charge a 50-cent fee for parking their car when they come into the park, that doesn't begin to cover their costs. For every visitor that is in there we figure it costs us 13 to 15 percent per individual from the minute they step out of the car and start using the facilities.

Senator DOMINICK. Think of the money they spend in staying.

Mr. KAYLOR. No; they buy their gasoline here before they leave, and they bring their lunch; they don't buy anything, Senator.

Senator DOMINICK. Maybe we ought to put up a Berlin wall.

Senator MCGOVERN. Mr. Kaylor, I thank you again for your statement.

I think, in view of the fact that it is almost the noon hour, that the committee will stand in recess until 2 o'clock.

(Whereupon, at 11:55 a.m., the committee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

Senator MCGOVERN. I think, in view of the long list of witnesses that we have, we will begin.

Mr. Schwan, we will hear your statement at this time.

STATEMENT OF CHARLES H. SCHWAN, JR., DIRECTOR, WASHINGTON OFFICE, COUNCIL OF STATE REGIONS, APPEARING ON BEHALF OF HAROLD G. WILM, CONSERVATION COMMISSIONER OF THE STATE OF NEW YORK, AND CHAIRMAN, POLICY COMMITTEE OF THE INTERSTATE CONFERENCE ON WATER PROBLEMS

Mr. SCHWAN. My name is Charles H. Schwan, Jr. I am director of the Washington office, Council of State Regions, and I am appearing on behalf of Harold G. Wilm.

Mr. Wilm is commissioner of the New York State Conservation Department and chairman of the policy committee of the Interstate Conference on Water Problems.

It is in the latter capacity that I am appearing in his stead today.

The Interstate Conference on Water Problems is an organization of State officials connected with all phases of water resources administration.

Its purpose is to serve as a medium to facilitate cooperation, consultation, and exchange of information among State officials and agencies as to the conservation, use, development, and administration of water resources, the law governing these matters, and interstate and Federal-State relationships in the field of water resources; and, to the extent feasible and desirable, to promote a consensus of harmonizing of State views.

The Interstate Conference on Water Problems is a comparatively young organization; its next annual meeting will be its sixth.

Frankly, in the brief period of its existence it has not had an opportunity to discuss and make recommendations concerning all the major problems in the field of water and allied resources.

One that has not been considered directly is the subject dealt with by S. 859.

Despite its having received only peripheral consideration by the conference, I am certain that the objectives of S. 859 are favored by the great majority of its members.

Mr. Chairman, in testifying on behalf of the conference before this committee on February 5, I remarked that—

S. 20 would, if enacted, assist materially in gaining for recreation its rightful place in overall resources planning. * * *

The bill before you today is in a sense a companion piece to S. 20 in that it will provide some of the funds needed to assist Federal and State agencies in planning, acquiring, and developing land and water areas and facilities for recreational purposes.

The same reasons that impelled the interstate conference to support S. 20 are valid with respect to S. 859.

Reversing my roles for a moment, Mr. Chairman, and speaking for New York State, I should like to call your attention to section 5(e)(2).

As it is written, this portion of the bill seems to discriminate against New York and other States that have pursued policies of acquiring recreational areas.

I should like to suggest it be amended to read:

(2) Development—For development, including but not limited to site planning and the development of Federal lands under lease to States for terms of twenty-five years or more: *Provided*, That the total grants to the States for development projects shall not, during the first ten full fiscal years in which the fund has been in operation, exceed 40 per centum of amounts appropriated for each of said ten years for State purposes pursuant to section 5: *And provided further*, That the total grants to States for development projects, exclusive of planning, for the first three years of said ten years shall not exceed 25 per centum of the amount appropriated for each year: *And provided further*, That these limitations shall not be applied in grants made to individual States which have previously acquired land suitable for development and have prepared approved plans.

Senator McGOVERN. Could I break in at that point?

What, then, is the significant change that you have proposed here?

Mr. SCHWAN. I believe the bill specifies 10 percent, whereas this says 40, and then suggests—40 as a maximum—and then suggests, however, that during the first 3 years the 40 percent actually be 25, and then, finally, in the final proviso suggests that with respect to individual States—these are all our figures, this first 40 and 25 percent—but, with respect to individual States, that limitation does not apply; that is, in a given State, it might well be much more than 40 for this purpose, and, in another State, much less, but overall it should not exceed 40, or in the first 3 years, 25.

Senator McGOVERN. Thank you.

Mr. SCHWAN. I have one more comment, Mr. Chairman.

Speaking for the interstate conference, I believe that the States could live with the requirement of a comprehensive statewide outdoor recreation plan specified in section 5(d) if the Secretary of the Interior does not impose too stringent or inclusive regulations as to the nature of such a plan.

In fact, all that the Secretary will need is evidence that any given State has thought its way intelligently into the acquisition, planning, and development of recreational lands, so that any Federal grants will be spent wisely.

New York State, for example, could certainly provide such evidence without having to go through the time-consuming task of preparing a multimillion-dollar plan.

In conclusion, I should reiterate that I am not in a position to discuss the details of this legislation, but, on behalf of the conference, I do endorse the bill's objectives.

I should add that we stand ready to work with this committee in perfecting the legislation.

This is a major matter of Federal-State relations and we are dedicated to facilitate and improve such relations.

Thank you very much, Mr. Chairman.

Senator McGOVERN. Thank you, Mr. Schwan.

We are glad to have your statement as a part of these committee hearings.

Is Mrs. Wilkins here?

Mrs. Anne Wilkins of Falls Church, Va., is appearing as the vice chairman of the National Association of Counties.

Mrs. Wilkins, we are glad to have you here and hear your statement.

STATEMENT OF MRS. ANNE WILKINS, VICE CHAIRMAN, NATIONAL ASSOCIATION OF COUNTIES' REGIONAL COOPERATION COMMITTEE, ACCOMPANIED BY PAUL N. CARLIN, ASSISTANT DIRECTOR FOR FEDERAL OWNERSHIP PROBLEMS, METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

Mrs. WILKINS. Thank you, Mr. Chairman.

I am Anne Wilkins, a member of the Fairfax, Va., Board of County Supervisors.

I am also serving as vice chairman of the Executive Board of the Washington Metropolitan Council of Governments at this time.

The statement, however, is submitted in my capacity as vice chairman of the National Association of Counties' Regional Cooperation Committee.

I have with me Mr. Paul N. Carlin, who is with the national association staff. He is the assistant director for Federal ownership problems.

On behalf of the National Association of Counties, I would like to express our sincerest appreciation for this opportunity to express to your committee the very strong interest of county government in this proposal to provide new means for acquiring and developing park and recreation lands.

We were quite pleased to note, in the President's transmittal letter of February 14, which accompanied the draft of this legislation, that he stressed that this Land and Water Conservation Fund measure—will enable the States to play a greater role in our national effort to improve outdoor recreation facilities.

In the Outdoor Recreation Resources Review Commission's recommendations we find that though the majority of their comments relate to the Federal Government, the keystone for meeting the Nation's outdoor recreation needs lies with—

private enterprise, the States, and local government.

After pointing out that State governments should play the "pivotal role" in this national effort, the ORRRC report further stressed that—

the role of the Federal agencies should be not one of domination but of cooperation and assistance in meeting their respective needs.

Chapter 12 of the ORRRC report is entitled "Financing Outdoor Recreation." Recommendation 12-4, which is the only reference to the Federal grants-in-aid proposal, states:

A Federal program of grants-in-aid should be established promptly to provide matching funds to the States to stimulate recreation planning and to assist in acquiring lands and developing facilities for public outdoor recreation.

In the ensuing commentary, which follows recommendation 12-4, the ORRRC report again stresses the role of the State with the following statement:

All levels of government share an interest in and responsibility for meeting the outdoor recreation needs of the Nation. There will be continuing need for cooperation and joint action among all jurisdictions. However, the State governments have dominant public responsibility and should play the pivotal role. Accordingly, it is extremely important to stimulate State activity.

The National Association of Counties concurs with these recommendations, and therefore strongly recommends that S. 859 be amended as indicated on the draft which accompanies my formal statement.

Prior to commenting on these suggested amendments, I would like to allude to the role of county government in outdoor recreation and the reasons for our very strong support for the suggested changes in the language of S. 859.

As we all realize, local government is big business. Local governments employ over 5 million persons, excluding those in the educational systems, and have a monthly payroll in excess of \$2 billion.

This compares with the 2.5 million persons employed by the Federal Government, excluding military personnel in uniform, and its monthly payroll of \$1.4 billion.

One hundred years ago, when our total population was 31 million persons, a majority of this country's taxes were collected and spent at the State and local levels of government.

Today, our 186 million persons are shifting their residences so that the 1960 census revealed that one-third live in rural areas, one-third within urban areas, and the final one-third live in the rapidly expanding suburban portions of the United States.

The sudden surge to suburban America brings directly to county governments the primary responsibility for providing these citizens with not only the traditional county services, but also the whole range of so-called metropolitan or urban services.

One of the most challenging of these responsibilities is the providing of adequate outdoor recreation opportunities for these suburban and urban residents.

Since the county level of government represents all of these citizens, that is, the rural, urban, and suburban residents, this responsibility indirectly transcends the governmental boundaries of municipalities, counties, and in numerous instances those of the State.

Expanded services of this nature require additional expenditures. In 1960, local governments spent \$770 million for local parks and recreation purposes. Though figures on county expenditures for these purposes were not available to me, the Compendium of City Government Finances for 1961 reveals that the expenditures by city governments for parks and recreation sharply increased, by 50 percent, from its 1956 level of \$420 million to \$604 million for 1961.

I feel certain that the total expenditures by county governments for parks and recreational purposes have increased at even a more accelerated rate.

The principal revenue source for local governments is the property tax. During the 1960 fiscal year it yielded 87.4 percent of all of local government's tax revenue.

Compared with the income tax, property taxes are a very restrictive revenue source for local governments. This fact supports the observation of the ORRRC report that—

State and local governments, in particular, have pressing financial responsibilities that must be met if the recreation needs of the public are to be served. Today, outdoor recreation is far down on the list of public services competing for State and local tax dollars.

In my own county, for example, approximately 70 percent of all of our resources must be used for school purposes.

We must build one and a half new classrooms every day just to keep up with the growth.

Since 1950 we have spent \$90 million on school construction in one county alone.

The proposed provision of Federal financial assistance will help, but it will not substitute for State and local efforts. New programs will need capital.

Incorporation of the amendments that are being proposed by the National Association of Counties will provide a major stimulus to the outdoor recreation programs of the States and local governments by accelerating those which are now underway and, most important, by encouraging action by those States and local governments which are now severely restricted by the lack of revenues.

The urgent demands that are being placed upon the county level of government can be illustrated by the following case history accounts, which have been selected at random, of what individual counties are now doing to meet this outdoor recreation challenge—

Senator McGOVERN. I wonder if I could just make an observation here.

We are perfectly happy to have you read your entire statement if you wish, but I would like you to know that if you want to incorporate it in the record we can put it in just as though you had read the entire thing.

Mrs. WILKINS. I would like to have it incorporated in the record. I don't propose to read it all. But I want to make one or two references to what the local governments are doing.

Senator McGOVERN. We are perfectly happy to give you all the time you want.

Mrs. WILKINS. I would like to have it incorporated in the record. (The complete prepared statement of Mrs. Wilkins is as follows:)

STATEMENT OF SUPERVISOR ANNE WILKINS, VICE CHAIRMAN, NATIONAL ASSOCIATIONS OF COUNTIES' REGIONAL COOPERATION COMMITTEE

Mr. Chairman, my name is Anne Wilkins and I am a county supervisor from Fairfax County, Va. In addition, I am currently serving as vice chairman of the Metropolitan Washington Council of Governments. This statement is being submitted in my capacity as vice chairman of the National Association of Counties Regional Cooperation Committee.

On behalf of the National Association of Counties, I would like to express our sincerest appreciation for this opportunity to express to your committee the very strong interest of county government in this proposal to provide new means for acquiring and developing park and recreation lands.

We were quite pleased to note in the President's transmittal letter of February 14, which accompanied the draft of this legislation, that he stressed that this land and water conservation fund measure "will enable the States to play a greater role in our national effort to improve outdoor recreation facilities."

In the Outdoor Recreation Resources Review Commission's recommendations we find that though the majority of their comments relate to the Federal Government, the keystone for meeting the Nation's outdoor recreation needs lies with "private enterprise, the States, and local government." After pointing out that State government should play the "pivotal role" in this national effort, the ORRRC report further stressed that "the role of the Federal agencies should not be one of domination but of cooperation and assistance in meeting their respective needs."

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In the ensuing commentary, which follows recommendation 12-4, the ORRRC report again stresses the role of the State with the following statement:

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cial assistance will help, but it will not substitute for State and local efforts. New programs will need capital."

Incorporation of the amendments that are being proposed by the National Association of Counties will provide a major stimulus to the outdoor recreation programs of the States and local governments by accelerating those which are now underway and, most important, by encouraging action by those States and local governments which are now severely restricted by the lack of revenues.

The urgent demands that are being placed upon the county level of government can be illustrated by the following case history accounts, which have been selected at random, of what individual counties are now doing to meet this outdoor recreation challenge:

"During the 1962 fiscal year, the Fairfax County (Va.) Park Authority acquired 1,745 acres for parks and recreation purposes under the financing of a \$1 million bond issue * * * Our emphasis is being placed on land acquisition, at the present time; however, development work is needed to be done on the individual parks * * * Since 1952, 44 park and recreational areas have been acquired * * * We will need approximately 8,850 additional acres for local and community parks * * * and 17,700 acres for regional parks if we are to adequately serve our anticipated population of 600,000 by 1980.

"The Northern Virginia Regional Park Authority, organized in 1959, plans to eventually acquire 10,000 acres for their regional parks * * * 700 acres are now owned and they were acquired at a total cost of \$460,000.

Thirty-five years ago, the Maryland National Capital Park and Planning Commission was created * * * It now has a regional and local park system which extends over 7,000 acres in Montgomery and Prince Georges County * * * An additional 31,618 acres are needed for local parks, stream valleys, and regional parks in these two counties * * * Last year their stepped-up park acquisition program resulting in the purchase of 1,161 acres * * * Nearly \$2 million have been expended for these land purchases * * * The commission's 1961-62 general park fund expenditures were nearly \$3 million during 1961-62.

"During 1962, the King County (Wash.) Board of County Commissioners completed the park acquisition program authorized by the \$1.4 million bond issue for the Marymoor purchase * * * Their county parks now total 1,617 acres, of which 1,117 acres have been purchased during the past 4 years.

"Erie County, N.Y., requires \$185,000 for the purchase of three park sites and for the extension of one already in existence.

"The Milwaukee County (Wis.) Park Commission now has over 100 parks and parkways ranging from one square block to 1 square mile * * * They total 11,000 acres.

"Multnomah County (Oreg.) commenced in 1954 on an aggressive site acquisition program * * * Since that time, 27 sites for neighborhood parks have been purchased outright and others are in various stages of purchase * * * Their average cost per acre for these 157 acres was \$3,628.

"Santa Clara County (Calif.) is following an earlier determined 6-year program * * * Their 1962-63 preliminary budget would increase the present parks and recreation budget from \$571,107 to \$832,380.

"Los Angeles County (Calif.) budgets in its parks and recreation department for 1,293 employees * * * and during 1961-62 had a \$7,592,267 budget.

"Westchester County (N.Y.) recently announced, after 38 years of active recreation experience, that its towns, cities, and villages are spending over \$2½ million a year for recreation * * *. During 1963 Westchester County plans to allocate a net sum of \$2,982,000 for park and recreation facilities * * * of which \$1 million is for the continuation of their long-range acquisition program.

"A park system plan submitted last week to Jackson County (Kans.) recommended the immediate purchase of 21,000 acres of parklands for that expanding urban county.

"Last year, the \$7.5 million bond issue proposal for the establishment of nine county parks in Contra Costa (Calif.) received a 59-percent voter approval, but lacked the necessary two-thirds majority required by law for passage * * *. They are now developing a restricted pay-as-you-go program.

"The recently created Lake County (Ohio) Metropolitan Park Authority will institute a \$1 million program of park development within the immediate future.

"Riverside, Imperial, and San Bernardino Counties (Calif.) are seeking to provide recreational sites, at scattered locations along more than 26 miles of the Colorado River.

"Dade County (Fla.) and the State of Florida are working together on seeking to develop public recreation areas in the lower regions of Biscayne Bay * * * with much of the developed areas coming from the sale of submerged lands.

"Santa Clara County (Calif.) has endorsed the development in their county of a 'chain of parks' along many of the scenic creeks that twist throughout the county.

"In 1951, only one county in Oregon had a county park program * * *. By 1961, 24 of Oregon's 36 counties had some type of park development underway * * *. In 1959, Oregon counties spent three-quarters of a million dollars on their program * * *. Douglas County now has 31 areas developed and in use * * *. Lane County hired a full-time park administrator in 1954 and today has 49 park areas extending from the snow-capped Cascades to the sparkling blue Pacific * * *. Josephine County has created a new 160-acre fishing lake by damming McMullen Creek, at a cost in excess of \$60,000.

"Kern County (Calif.) in 1959 had 42 'area' parks with a total of 972.7 acres and 12 'general' parks, amounting to 19,856 acres.

"The Huron-Clinton (Mich.) Metropolitan Authority, which is a special district composed of the five counties in the Detroit metropolitan region, has acquired since 1945 some 550 acres of underwater lands * * *. This area has been filled in with 2¼ million cubic yards of sand, at a cost of nearly one-half million dollars, for one of their recreational areas.

"In Iowa county governments are becoming a major force in outdoor recreation with the creation of county conservation commissions * * *. Since enabling legislation was passed in 1955, 75 of the State's 99 counties have established these commissions.

"The Maricopa County (Ariz.) Regional Parks System is comprised of nine parks which have been almost entirely acquired during the past 3 years * * *. Seven are located within a 28-mile radius of the center of Phoenix * * *. The system is composed of 86,000 acres of parks * * *. There are now 800,000 residents in Maricopa County * * *. It is estimated that 7¼ million persons will reside in the county by the year 2010 * * *. The individual parks range in size from 740 acres to 28,000 acres * * *. In cooperation with the city's program, 17 urban parks have been transferred, without cost, to the city of Phoenix * * *. Their 1962-63 budget was \$433,837.

"From an 1860 population of 3,214, San Mateo County (Calif.) has expanded to slightly more than 500,000 persons * * *. The county has acquired and developed six major park areas totaling some 1,900 acres in area * * *. The parks are no less than 100 acres in size and provide numerous recreational uses that are countywide, rather than local in nature * * *. Their 1962-63 budget, not including land acquisition, is \$737,227.

"The Essex County Park Commission, which has been in existence for 68 years, holds the distinction of being the first of these commissions * * *. Its original county park lands were acquired prior to 1900 and consisted largely of submarginal and swampy land areas * * *. Even in those early times, the per acre acquisition cost was \$207, \$1,225, and \$9,800 respectively for three areas that were particularly advantageous because of their strategic locations * * *. The 400 acres at Eagle Rock Reservation cost \$258,000 and is now worth \$2 million * * *. The present board recently acquired some 1,200 acres of submarginal lands * * *. This intensively developed county park system now has 5,158 acres, including 2,200 acres of woodland, and the Commission employs 320 employees * * *. They have found that whereas the parks at the turn of the century were used largely for passive types of recreation * * * the present-day demands require the development of active sport utilization areas * * *. They have responded by providing facilities such as artificial ice rinks, tennis courts, game fields, and golf courses."

The case histories enumerated above are presented to the committee to illustrate the vital concern and emphasis that is being placed on outdoor recreational developments by local government. The principal reason why local governments have been so slow in responding to the outdoor recreation challenge, many of the above programs were initiated during the past decade, has been the lack of money.

Unfortunately, the above case histories can only be illustrative of some of the ways that counties are responding to this outdoor recreation challenge. They do not indicate the frustrations encountered in many local communities which have tried to respond to this challenge, but will not be able to provide vitally needed recreation facilities without financial assistance.

We hope that the committee will recognize that the above case histories are only indicative of the strong efforts being made by many local governments to

provide outdoor recreational facilities as close to the urban centers as possible.

The major intent of the amendments suggested in the draft bill, which accompanies my formal testimony, is to place greater emphasis on encouraging State and local governments to develop effective outdoor recreational programs through the stimulus of this proposed grant-in-aid program.

These amendments, in our opinion, fully implement the Basic recommendations of the Outdoor Recreational Resources Review Commission.

In addition, the amended bill would provide a solid basis for the establishment of an effective "partnership" between the Federal, State, and local levels of governments in working together in a cooperative and harmonious program of providing outdoor recreation facilities for all citizens.

The National Association of Counties is recommending that 25 percent of the moneys from this land and water conservation fund be allocated for Federal purposes. Allocation of the remaining 75 percent of these funds to the States and local governments would stimulate an immediate acceleration in established programs and in the establishment of new programs by these governments.

Our proposed draft also recommends that the matching requirements be established at 50 percent of the cost of acquisition and development projects, in addition to the cost of planning projects. These matching levels would then provide a major stimulus to local communities and would immediately accelerate all recreational activities by these levels of governments. Judicious administration of these funds would provide for the broadest possible development of public recreation facilities and would come the closest to achieving the long-range objective of providing a core area of park lands for every jurisdiction within the United States.

The higher percentage of Federal matching funds for acquisition and development projects, and the removal of the restrictions on the utilization of these funds, will be particularly advantageous to those States and local governments which presently lack adequate funds, without penalizing those governments which have already commenced their outdoor recreation programs.

We recommend in the draft, for those State or local governments which may not be able presently to provide their 50-percent matching share, that the Secretary of the Interior be authorized to accept "other financial arrangements." This provision would allow flexibility to the Secretary in encouraging these governments to actively develop outdoor recreation facilities.

Since the suggested amendments of the National Association of Counties are fundamental and far reaching, we offer the full cooperation and assistance of our Association to cooperate with the committee in any way possible on this legislation. We sincerely appreciate this opportunity to indicate the views of the National Association of Counties on this important legislative proposal.

DRAFT OF S. 859 INCORPORATING THE SUGGESTED AMENDMENTS BY THE NATIONAL ASSOCIATION OF COUNTIES

(Suggested new language is italicized; suggested deletions are in black brackets)

A BILL To establish a land and water conservation fund to assist the States, *local governments*, and Federal Agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

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

(a) CITATION.—This Act may be cited as the "Land and Water Conservation Fund Act of 1963."

(b) PURPOSES.—The purposes of this Act are to strengthen the health and vitality of the Nation by assuring the availability and accessibility of land and water based outdoor recreation opportunities of such quality and quantity as are necessary and desirable for the benefit and enjoyment of the people by (1) providing funds for and authorizing Federal assistance to the States *and their political subdivisions* in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for Federal acquisition of certain land and water areas.

CERTAIN REVENUES PLACED IN SEPARATE ACCOUNT

SEC. 2 SEPARATE ACCOUNT.—There shall be set aside in a separate account in the Treasury of the United States, [for subsequent division as prescribed in section 3 of this Act.] the following revenues and collections:

(a) ENTRANCE AND USER FEES; ESTABLISHMENT; REGULATIONS.—All proceeds from entrance, admission, and other recreation user fees or charges collected

or received by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, and the United States section of the International Boundary and Water Commission (United States and Mexico), notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury: *Provided*, That nothing in this Act shall affect any rights or authority of the States with respect to fish and wildlife, nor shall this Act repeal any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law; but the proceeds from fees or charges established by the President pursuant to this subsection for entrance or admission generally to Federal areas shall be used solely for the purposes of this Act.

The President is authorized to provide for the establishment, revision, or amendment of entrance, admission, and other recreation user fees and charges at any land or water area administered by or under the authority of the Federal agencies listed in the preceding paragraph; *Provided*, That this subsection shall not authorize Federal hunting or fishing licenses, nor shall it authorize fees or charges for commercial or other activities not related to recreation. Any fees established shall be fair and equitable taking into consideration direct and indirect cost to the Government, benefits to the recipient, public policy or interest served, and other pertinent factors.

There is hereby repealed the third paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 7, 1928 (45 Stat. 238) and the second paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 4, 1929 (45 Stat. 1602; 16 U.S.C. 14). Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 24, 1944 (16 U.S.C. 460d), as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting "without charge," in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recreation user fees or charges or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed.

The heads of departments and agencies are authorized to prescribe rules and regulations for the collection of any entrance, admission, and other recreation user fees or charges established pursuant to this subsection for areas under their administration. Any violation of any rules or regulations promulgated under this Act shall be punishable by imprisonment of not more than six months or a fine of not more than \$500, or both. Any violation of such rules and regulations shall be under the jurisdiction of the United States district court for each district in which the violation occurs, and may be considered by a United States Commissioner appointed by said court.

(b) **SURPLUS PROPERTY SALES.**—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485 (b)-(c) of title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76 Stat. 725), or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury.

(c) **MOTORBOAT FUELS TAX.**—The amounts specified in section 209(f) (5) of the Highway Revenue Act of 1956 (relating to special motor fuels and gasoline used in motorboats).

[SEPARATE ACCOUNT DIVIDED BETWEEN] ESTABLISHMENT OF A LAND AND WATER CONSERVATION FUND [AND MISCELLANEOUS RECEIPTS]

[SEC. 3. The President shall determine from time to time a division of the total amount in the separate account between these amounts to be transferred to a land and water conservation fund and those amounts to be credited to the miscellaneous receipts of the Treasury, and the necessary transfers and credits shall be made periodically, as follows: **]**

SEC. 3. LAND AND WATER CONSERVATION FUND.—There shall be transferred to a land and water conservation fund (hereinafter referred to as the "fund"), which is hereby established, such moneys in the separate account. **[as the Presi-**

dent deems appropriate to assist the States and Federal agencies as hereafter prescribed.] Moneys placed in the fund shall be available for expenditure for purposes of this Act only when appropriated, and such appropriations may be made without fiscal-year limitation. The Secretary of the Interior shall keep such accounts as are necessary for these purposes.

[(b) MISCELLANEOUS RECEIPTS.—There shall be credited to miscellaneous receipts in the Treasury such moneys in the separate account as the President deems appropriate to help offset the cost of additional lands, at Federal and federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water resource agencies.]

ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES: AUTHORIZATION FOR ADVANCE APPROPRIATIONS

SEC. 4. ALLOCATION.—(a) Appropriations from the land and water conservation fund shall be available for both State and Federal purposes as provided in this Act in percentage of [60] 75 per centum for State *and local governmental* purposes and [40] 25 per centum for Federal purposes. [except that the President, on the basis of the respective State and Federal needs, may increase from time to time the proportional amount for either State or Federal purposes by no more than 15 per centum of the total.]

(b) ADVANCE APPROPRIATIONS; REPAYMENT.—Beginning with the third full fiscal year in which the fund is in operation, and for a total of eight years, advance appropriations are hereby authorized to be made to the fund from any moneys in the Treasury not otherwise appropriated in such amounts as to average not more than \$60,000,000 for each fiscal year. Such advance appropriations shall be available for Federal, [and] State, *and local governmental* purposes in the same manner and proportions as other moneys appropriated from the fund. Such advance appropriations shall be repaid without interest beginning at the end of the next fiscal year after the first ten full fiscal years in which the fund has been in operation, by transferring, annually until fully repaid, to the general fund of the Treasury 50 per centum of the revenues received by the land and water conservation fund each year under section 3 of this Act. The moneys in the fund that are not required for repayment purposes may continue to be appropriated and allocated in accordance with the procedures prescribed by this Act.

FINANCIAL ASSISTANCE TO STATES

SEC. 5. GENERAL AUTHORITY; PURPOSES.—(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States *and their political subdivisions* from moneys available for State purposes. Payments may be made to the States *and their political subdivisions* by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) APPORTIONMENT AMONG STATES; NOTIFICATION.—Sums appropriated and available for State *and local governmental* purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

- (1) one-fifth shall be apportioned equally among the several States;
- (2) three-fifths shall be apportioned in the proportion which the population of each State bears to the total population of the United States; and
- (3) one-fifth shall be apportioned on the basis of need to individual States *and their political subdivisions* by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the use of outdoor recreation resources of individual States by persons from outside the State as well as a consideration of the Federal resources and programs in the particular States.

The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State *or its political subdivisions* for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is

given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (3) of this subsection.

The District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa shall be treated as States for the purposes of this Act, except for the purpose of paragraph (1) of this subsection. Their population also shall be included as a part of the total population in computing the apportionment under paragraph (2) of this subsection.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover [not more than] 50 per centum of the cost of planning, [projects, and not more than 30 per centum of the cost of] acquisition, or development projects, that are undertaken by the State or its political subdivisions. The remaining share of the cost shall be borne by the State or its political subdivisions in a manner and with such funds, [or] services, or other financial arrangements as shall be satisfactory to the Secretary.

(d) COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate, if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act. The plan shall contain—

(1) the name of the State agency that will have authority to represent and act for the State and its political subdivisions in dealing with the Secretary for purposes of this Act;

(2) An evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

(3) a program for the implementation of the plan; and

(4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

The Secretary may provide financial assistance to any State or its political subdivisions for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available, for the maintenance of such plan, or for the training of personnel for outdoor recreation planning and related administrative responsibilities.

(c) PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State or its political subdivisions for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

(1) ACQUISITION OF LAND AND WATERS.—For the acquisition of land, waters, or interests in land or waters. [but not including incidental costs relating to acquisition.]

(2) DEVELOPMENT.—For development, including but not limited to site planning and the development of Federal lands under lease to States or their political subdivisions for terms of 25 years or more. [Provided, That the total grants to States for development projects shall not, during the first ten full fiscal years in which the fund has been in operation, exceed 10 per centum of amounts appropriated for each of said ten years for State purposes pursuant to Section 5.]

(f) REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.—Payments may be made to States or their political subdivisions by the Secretary only for those planning, acquisition, or development projects that are approved by him. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State or its political subdivisions that the State, political subdivision, or other appropriate public agency has the ability and intention

to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State or local expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by the State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the ten existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

No payment shall be made to any State or its political subdivisions until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State or its political subdivisions under this Act.

(g) COORDINATION WITH FEDERAL AGENCIES.—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planing, acquisition, and development assistance to States and their political subdivisions under this section with other related Federal programs and activities, the President may, prior to the exercise of any authority under this section, issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations. The President is authorized to transfer to the Housing and Home Finance Administrator such functions relating to planning assistance of the Secretary under this section as the President may deem desirable together with any funds available for Federal purposes, [therefore] The President may, at any time, extend, revoke, or otherwise change any regulation, or transfer of authority as he deems consistent with the purposes of this section.

ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

SEC. 6. (a) Moneys appropriated from the fund for Federal purposes shall be allocated by the President, on the basis of a determination of relative needs, for the acquisition of land, waters, or interests in land or waters, as follows:

(1) NATIONAL PARK SYSTEM; RECREATIONAL AREAS.—Within the exterior boundaries or areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

(2) NATIONAL FOREST SYSTEM.—Within existing or authorized areas of the national forest system, including areas now or hereafter authorized to be administered by the Secretary of Agriculture for outdoor recreation purposes.

(3) THREATENED SPECIES.—For the purposes of any national area that may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

(4) RECREATION OF REFUGES.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (76 Stat. 653).

(b) WATER PROJECTS LIMITATION.—No moneys shall be appropriated from the fund for the acquisition of additional lands, at Federal or federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water-resource agencies.

(c) ACQUISITION RESTRICTION.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.

SPECIAL MOTOR FUELS OR GASOLINE USED IN MOTORBOATS

SEC. 7. (a) SPECIAL MOTOR FUEL USED IN MOTORBOATS.—The second and third sentences of section 4041(b) of the Internal Revenue Code of 1954 (relating to special motor fuels) are amended to read as follows: "In the case of a liquid taxable under this subsection sold for use or used otherwise than as a fuel for the propulsion of (A) a motorboat, or (B) a highway vehicle (i) which (at the time of such sale or use) is registered, or is required to be registered, for highway use under the laws of any State or foreign county, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway the tax imposed by paragraph (1) or by paragraph (2) shall be 2 cents a gallon. If a liquid on which tax was imposed by paragraph (1) at the rate of 2 cents a gallon by reason of the preceding sentence is used as a fuel for the propulsion of (a) a motorboat, or (B) a highway vehicle (i) which (at the time of such use, is registered, or is required to be registered, for highway use under the laws of any State or foreign county, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway; a tax of 2 cents a gallon shall be imposed under paragraph (2)."

(b) CREDITS AND REFUNDS IN RESPECT OF SPECIAL MOTOR FUELS.—Subparagraph (J) of section 6416(a) (2) of such Code (relating to credits and refunds on certain specified uses and resales) is amended to read as follows:

"(J) in the case of a liquid in respect of which tax was paid under section 4041(b) (1) at the rate of 3 cents or 4 cents a gallon, used or resold for use otherwise than as a fuel for the propulsion of (i) a motorboat, or (ii) a highway vehicle (a) which (at the time of such use or resale) is registered, or required to be registered, for highway use under the laws of any State or foreign county, or (b) which, in the case of a highway vehicle owned by the United States, is used on the highway; except that the amount of any overpayment by reason of this subparagraph shall not exceed an amount computed at the rate of 1 cent a gallon where tax was paid at the 3-cent rate or at the rate of 2 cents a gallon where tax was paid at the 4-cent rate;".

(c) GASOLINE USED IN MOTORBOATS.—Subsection (a) of section 6421 of such Code (relating to gasoline used for certain nonhighway purposes or by local transit systems) is amended to read as follows:

"(a) CERTAIN NONHIGHWAY USES.—If gasoline is used otherwise than as a fuel in (1) a motorboat, or (2) a highway vehicle (A) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which, in the case of a highway vehicle owned by the United States, is used on the highway, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such gasoline an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid at the rate of 3 cents a gallon and 2 cents for each gallon of gasoline so used on which tax was paid at the rate of 4 cents a gallon."

(d) HIGHWAY TRUST FUND.—Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(5) TRANSFERS FROM THE TRUST FUND FOR SPECIAL MOTOR FUELS AND GASOLINE USED IN MOTORBOATS.—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the separate account from which funds are transferred to the land and water conservation fund amounts as determined by him in consultation with the Secretary of Commerce equivalent to the taxes received, on or after January 1, 1964, under section 4041(b) of the Internal Revenue Code of 1954 with respect to special motor fuels used as fuel for the propulsion of motorboats and under section 4081 of such Code with respect to gasoline used as fuel in motorboats."

(e) EFFECTIVE DATES.—

(1) The amendment made by subsection (a) shall apply with respect to liquid sold for use or used on or after the effective date of this section.

(2) The amendment made by subsection (b) shall apply with respect to liquid used or resold for use on or after the effective date of this section.

(3) The amendment made by subsection (c) shall apply with respect to gasoline used on or after the effective date of this section.

(4) For purposes of this subsection, the effective date of this section is January 1, 1964.

Mrs. WILKINS. During the 1962 fiscal year, the Fairfax County (Va.) Park Authority acquired 1,745 acres for parks and recreation purposes under the financing of a \$1 million bond issue.

I simply use these illustrations to make it clear that local governments are making an effort to solve this problem, but because of the many other pressing needs, it simply is not possible to do the whole job.

The case histories enumerated above are presented to the committee to illustrate the vital concern and emphasis that is being placed on outdoor recreational developments by local government.

The principal reason why local governments have been so slow in responding to the outdoor recreation challenge, many of the above programs were initiated during the past decade, has been the lack of money.

Unfortunately, the above case histories can only be illustrative of some of the ways that counties are responding to this outdoor recreation challenge.

They do not indicate the frustrations encountered in many local communities which have tried to respond to this challenge, but will not be able to provide vitally needed recreation facilities without financial assistance.

The major intent of the amendments suggested in the draft bill, which accompanies my formal testimony, is to place greater emphasis on encouraging State and local governments to develop effective outdoor recreational programs through the stimulus of this proposed grant-in-aid program.

These amendments, in our opinion, fully implement the basic recommendations of the Outdoor Recreation Resources Review Commission.

In addition, the amended bill would provide a solid basis for the establishment of an effective "partnership" between the Federal, State, and local levels of governments in working together in a cooperative and harmonious program of providing outdoor recreation facilities for all citizens.

The National Association of Counties is recommending that 25 percent of the moneys from this land and water conservation fund be allocated for Federal purposes.

Allocation of the remaining 75 percent of these funds to the States and local governments would stimulate an immediate acceleration in established programs and in the establishment of new programs by the local and State governments.

Our proposed draft also recommends that the matching requirements be established at 50 percent of the cost of acquisition and development projects, in addition to the cost of planning projects.

These matching levels would then provide a major stimulus to local communities and would immediately accelerate all recreational activities by these levels of governments.

Judicious administration of these funds would provide for the broadest possible development of public recreation facilities and would

come the closest to achieving the long-range objective of providing a core area of park lands for every jurisdiction within the United States.

The higher percentage of Federal matching funds for acquisition and development projects, and the removal of the restrictions on the utilization of these funds, will be particularly advantageous to those States and local governments which presently lack adequate funds, without penalizing those governments which have already commenced their outdoor recreation program.

We recommend in the draft, for those State or local governments which may not be able presently to provide their 50-percent matching share, that the Secretary of the Interior be authorized to accept "other financial arrangements."

This provision would allow flexibility to the Secretary in encouraging these governments to actively develop outdoor recreation facilities.

Since the suggested amendments of the National Association of Counties are fundamental and far reaching, we offer the full cooperation and assistance of our association to cooperate with the committee in any way possible on this legislation.

We sincerely appreciate this opportunity to indicate the views of the National Association of Counties on this important legislative proposal.

Thank you very much, Mr. Chairman.

Senator MCGOVERN. I want to thank you, Mrs. Wilkins, for an excellent statement.

It goes into some aspects of the legislation that we haven't heard before.

And this is going to be very helpful to us. We have had a considerable amount of discussion here in the last 2 days, as you know, on the matter of the user tax as one source of financing this program of expanded recreational facilities.

What is your feeling about that? Do you think this is a practical approach?

Mrs. WILKINS. Mr. Chairman, the National Association of Counties takes no position on the method of financing.

I can say personally that I feel that this is a sound approach to the problem.

I look at it as a rather conservative approach to attempt to finance this with a user's tax, so to speak, a tax on the users, revenue from similar use.

I think this is a very good approach to the problem, and I think it would work very well.

Senator MCGOVERN. Did I understand you to say in your statement that you would favor giving the Secretary or the administrator of this program a reasonable amount of flexibility in administering the program?

Mrs. WILKINS. I am afraid I didn't quite get the question.

Senator MCGOVERN. Did I understand you to say that in general you would favor giving the Secretary of the Interior, as the administrator of this program, a reasonable degree of flexibility in the manner in which he administers the law?

Mrs. WILKINS. Yes. This is the statement of the National Association of Counties, yes.

Senator McGovern. Thank you very much for your statement, Mrs. Wilkins.

Is Mr. Hammerle here?

I understand Mr. Hammerle has an engagement that is pressing, so we will hear him at this time.

You may proceed, Mr. Hammerle.

STATEMENT OF WILLIAM C. HAMMERLE, FORESTER AND MANAGER OF POLICY PROGRAMS FOR THE AMERICAN PULPWOOD ASSOCIATION, NEW YORK, N.Y.

Mr. HAMMERLE. I appreciate it very much, Mr. Chairman.

I am William C. Hammerle, forester and manager of policy programs for the American Pulpwood Association, with headquarters at 220 East 42d Street, New York City.

The American Pulpwood Association is composed of pulpwood producers, dealers, consumers, and others who are directly concerned with the growing and harvesting of pulpwood.

Pulpwood, which is harvested in the forests of 42 of the 50 States, is the principal raw material used in the manufacture of pulp, paper, paperboard, and other forest products.

S. 859 proposes to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities, and (2) providing funds for Federal acquisition of certain land and water areas.

We have four items which we desire to present in this statement.

The first is, adopt a system of user fees and charges for Federal outdoor recreational facilities.

Section 2 of S. 859 provides for setting aside in a separate account in the Treasury of the United States revenues and collections derived from:

(a) Entrance, admission, and other recreation user fees or charges established by the President pursuant to the act for specified Federal areas, and

(b) Certain proceeds from the disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, and

(c) Proceeds from the 4-cents-per-gallon tax on gasoline and special motor fuels used in motorboats.

The charging of user fees for outdoor recreation activities is in accord with the recommendation of the Outdoor Recreation Resources Review Commission that:

Public agencies should adopt a system of user fees designed to recapture at least a significant portion of the operation and maintenance costs of providing outdoor recreation activities that involve the exclusive use of a facility, or require special facilities.

Our association supports this principle and favors the charging of entrance, admission, and other recreation user fees or charges on Federal areas.

We are pleased to note the provision in this subsection which specifically states that this bill does not authorize Federal hunting or fishing licenses, or fees or charges for commercial or other activities not related to recreation.

With respect to the funds to be set aside from surplus property sales and the motorboat fuels tax, it is our opinion that unless the surplus property involves lands and other property acquired or purchased for recreational use such funds should be credited to the miscellaneous receipts in the Treasury, to the general fund of the Treasury, whichever is appropriate, and, that the portion of the motorboat fuels tax subject to refund should be refunded to the users.

We believe that a user fee or charge should be made on motorboats used for activities related to recreation on federally owned waters particularly where special facilities are involved.

The second item, a land and water conservation fund is not needed.

Under section 3 of S. 859, funds set aside in the separate account in the Treasury, provided in section 2, will be subject to division, as determined by the President, with part transferred to a land and water conservation fund and part credited to the miscellaneous receipts of the Treasury for acquisition of additional lands at Federal and federally assisted water development projects.

In addition, section 4(b) assumes that the States will not be ready to participate fully at the beginning and provides advance appropriations averaging \$60 million a year for 8 years beginning with the third year after enactment, with provision for repayment beginning after the first 10 full fiscal years from 50 percent of the revenues available from the fund.

We see no need for establishing such a special fund. Any funds to be provided for grants-in-aid to the States should be appropriated annually by the Congress as is done with the Clark-McNary Act, the Norris-Doxey Act and similar legislation designed to provide incentives to the States through grants-in-aid.

We are opposed to the earmarking of funds and the bypassing of regular legislative procedures.

In addition, under S. 5859, there is no assurance as to how much of the funds if any will be transferred to the land and water conservation funds.

The third item, provide definite limit for financial assistance to States.

S. 859 authorizes financial assistance to the States for outdoor recreation in (1) planning, (2) acquisition of land, waters or interests therein, or (3) development.

The Outdoor Recreation Resources Review Commission report recommended that:

A Federal grants-in-aid program should be established to stimulate and assist the States in meeting the demand for outdoor recreation.

Their recommendation encompassed the three activities of planning, acquisition, and development.

The conditions, imposed in section 5, of S. 859, appear to be sufficiently restrictive to secure compliance of the States and assurance of future operation and maintenance of the areas for outdoor recreation purposes.

Our association believes that the States should be solely responsible for the acquisition of State-owned lands for recreation purposes.

Recognizing, however, that some States may need financial encouragement, our members believe that Federal assistance in acquisition should only be provided when specifically requested by the legislature of the individual State, preferably on the basis of a loan rather than a grant-in-aid.

We, further, recommend that provision be made in the act for a termination date of grants-in-aid to the States for outdoor recreation purposes.

Since the purpose of such aid is to stimulate the States into taking action, the setting of a terminal date for providing such Federal incentive should encourage more immediate and effective participation and action by the States.

The fourth item, exclude Federal acquisition from S. 859.

We urge that section 6: Allocation of Moneys for Federal Purposes be deleted from S. 859, in that its provision for the additional acquisition of Federal lands, waters, or interests in lands or water are: (1) not consistent with recommendations of the Outdoor Recreation Resources Review Commission, and (2) acquisition is specifically restricted unless otherwise authorized by law.

The Outdoor Recreation Resources Review Commission report and recommendations did not deem such a program necessary for it made no such recommendation.

The report emphasized that—

The problem is not one of number of acres but of effective acres—acres of land and water available to the public and usable for specific types of recreation.

With reference to the national parks and national forests, it said:

In its survey the Commission found that the trouble with the big open spaces is that large parts of them are being underused—

and further:

To a large degree, then, there has been a failure to use well what is already available. The problem, essentially, is one of management. This is not to minimize the needs to acquire additional public recreation sites nor the advisability of getting them sooner rather than later. Opening up unused parts of present sites, however, is just as imperative; indeed, without this kind of development, the United States could spend billions on new parks and still not keep up with the demand.

The Department of the Interior's report, "Areas Administered by the National Park Service," January 1, 1962, shows 488,575 acres of lands which are not federally owned within the exterior boundaries of the national park system and four national recreation areas.

The Department of Agriculture, June 30, 1962 report, "National Forest Areas," shows 39,289,036 acres of other lands within the unit boundaries of the national forests and other lands administered by the Forest Service.

The latter report includes Federal lands over which the Forest Service has no jurisdiction but does not list separately the acreage of such lands.

These figures at least give some indication of the acreage within the national park and national forest systems, for which the agencies already have authorization and which might be purchased under S. 859.

We do not believe that a program of Federal acquisition as proposed in this bill is needed or justified. We are in accord with the Commission's statement that the Federal Government should open up and manage its own lands to enhance their recreation value, and should adopt the Commission's recommended system of classifying outdoor recreation resources to aid in their management, to enhance the quality of recreation opportunities, and to facilitate the orderly development of recreation areas.

This is the primary need—the effective use of lands already owned—not the acquisition of additional lands.

This is one of the first jobs which should be tackled by the newly established Bureau of Outdoor Recreation—and it is a big one not easily accomplished.

In concluding our statement, we wish to emphasize that the American Pulpwood Association supports the principle and endorses the charging of entrance, admission, and other recreation user fees or charges on Federal recreation areas for those activities which involve exclusive use of facilities or which require the construction of specialized facilities.

We recommend amendment of S. 859 in the following items:

(1) Delete establishment of a separate land and water conservation fund and provide for grants-in-aid on a matching-fund basis to the States through annual appropriations.

(2) Provide a terminal date for operation of the act in providing financial assistance to the States; and include assistance in acquisition only on request of a State legislature, preferably on a loan rather than a grant-in-aid basis.

(3) Eliminate section 6: Allocation of Funds for Federal Land and Water Acquisition, from S. 859.

We appreciate the opportunity afforded us to present our views and recommendations on this bill, S. 859, and trust that this committee will so amend the bill as to enact a law with provisions more nearly in accord with the recommendations of the Outdoor Recreation Resources Review Commission, and one which will effectively meet the present and future outdoor recreation demands and needs of the American people.

In making these recommendations, we have in mind the emphasis which the Outdoor Recreation Resources Review Commission placed on the fact that:

In a national effort to improve outdoor recreation opportunities, State governments should play the pivotal role.

We are opposed to S. 859 as now written and unless our suggested amendments are made, we urge that this committee not report this bill, S. 859.

Senator MCGOVERN. Mr. Hammerle, we want to thank you for your statement.

There is just one question that I wanted to raise with you. On page 4 of your statement, you say, "The problem is, essentially, one of management," and you tend to play down somewhat the problem of acquiring new areas, additional land areas.

Mr. HAMMERLE. That was a quotation, Senator, from the ORRRC report.

Senator MCGOVERN. I see that it is.

Now, in my State—and I think this is true with other parts of the country—we are developing these new reservoirs, river reservoirs that will one day become great recreation centers, in fact they are already attracting a good many hundreds of thousands of people.

And in a case like that, the matter of acquiring land along these reservoirs becomes almost a No. 1 priority.

If these lands are lost for various purposes other than the public use, it is very difficult later to move in and do anything about the recreational needs of the general public.

I am wondering if you would not agree that in a situation like that the acquisition of potential recreation lands becomes very important.

Mr. HAMMERLE. That wouldn't come under the agencies in the bill itself, it is not national forest or not national park areas.

Those are additional areas, are they not?

Senator MCGOVERN. Yes, they are.

Mr. HAMMERLE. Well, any additional areas would come before the Congress for approval.

And that we are not opposing at all, in fact we are very much in favor of any additional areas coming before the Congress for approval; that is, new areas.

Senator MCGOVERN. Thank you for your statement.

I think we have another witness that has asked to be heard, Mr. Lifton.

Mr. Lifton, we will be glad to hear you now. You may proceed as you wish.

STATEMENT OF FRED B. LIFTON ON BEHALF OF THE OUTBOARD BOATING CLUB OF AMERICA

Mr. LIFTON. Mr. Chairman, my name is Fred B. Lifton. I am here representing the Outboard Boating Club of America. Our home office is Chicago, Ill.

I have a statement which I would like to introduce for the record, and if accepted, I would paraphrase in the interest of saving the committee's time.

Senator MCGOVERN. We appreciate that.

(The prepared statement of Mr. Lifton is as follows:)

STATEMENT OF FRED B. LIFTON OF THE OUTBOARD BOATING CLUB OF AMERICA

Mr. Chairman and members of the committee, my name is Fred B. Lifton. I am a member of the staff of the Outboard Boating Club of America, on whose behalf I appear today. Known in many circles as simply OBC, the Outboard Boating Club of America is a national trade association representing the industry and the sport. Our manufacturer members are the major producers of outboard motors, outboard boats, boat trailers, and marine accessories. Approximately 375 individual boating clubs from coast to coast are also affiliated with OBC.

BASIC OBJECTIVES SUPPORTED—RELATIONSHIP TO ORRRC

First and foremost, we support the basic objectives of S. 859 in seeking to expand outdoor recreational facilities to meet our present and future needs. We supported the formation of the Outdoor Recreation Resources Review Commission. Although no representative of the boating industry or sport served on the Commission or its Advisory Council, we warmly endorsed the final ORRRC report. We submitted a statement urging passage of S. 20 which we read as the organic legislation for the Bureau of Outdoor Recreation. We subscribe wholeheartedly to the purpose clause of S. 859.

We should like to be able to close our testimony at this point, but several points demand recognition. We offer these sincerely and constructively.

Though it goes far in that direction, S. 859 is not truly the implementation of the ORRRC report. While S. 859 surely embodies much of the spirit of the ORRRC report, many features of the bill cannot be traced to this imposing report commissioned by the Congress and obtained after the expenditure of several million dollars and many months of earnest labor. This is not necessarily a defect, but any deviation does seem to impose a burden on the proponents of demonstrating the wisdom of making such departures from the ORRRC recommendations.

S. 859 VASTLY SUPERIOR TO 1962 FUND BILL

We opposed the much different land conservation fund bill (S. 3118) offered in 1962. We opposed it because of its wide variances from the ORRRC recommendations, particularly as to financing. We also opposed the effort to place what we viewed as an extraordinary tax burden upon the boater in relation to other recreationists.

In S. 859 the gap between the ORRRC recommendations and what is proposed has been narrowed. The discriminatory boat tax has been eliminated. We hail these changes. But the boaters is still singled out, in a sense, to contribute to the fund via a special consumption charge which he alone pays. Reference is, of course, to the 4-cent-per-gallon Federal tax on fuel used in recreational boating. (I hesitate to call this a "user fee" since that term has acquired a blurred meaning of late.) In 1962 it was proposed to take half this amount for the fund.

EFFECTIVE USE OF THE FEDERAL MARINE FUEL TAX

The boater finds himself in a dilemma of sorts in viewing the proposed use of fuel taxes. On the one hand, he is already paying this tax to the Federal Government (at an amount which we presently estimate at \$35 million annually), but obtaining no benefit whatsoever therefrom. Hence the use of these funds as contemplated by S. 859 is clearly a net gain. However, the boater cannot fail to note that when he is classified as a fisherman and/or hunter, the same general kind of consumption charge is channeled into special funds (such as D-J and P-R).

Also, and again without in any way wanting to impede the overall necessary expansion of outdoor recreational facilities generally, the boater notes the ORRRC report recommended that the Federal grants be appropriated from General Treasury funds, citing the broad social values of the program. It is undoubtedly convenient to utilize the Federal marine fuel taxes as a source of the proposed fund, but such specific selection seems contrary to the basic rationale behind the legislation.

In mentioning this, we do not seek to throw any roadblocks in the way of this most important legislation. But we believe the Congress should carefully consider whether at least some part of the outdoor recreational program is important enough to our way of life to justify general appropriations. We do not balk at paying special charges ("user fees" if you prefer), but until now the idea seemed to be these special levies were for special services which were rendered. (Again, the D-J and P-R programs seem cogent examples, and the entrance fees proposed in S. 859 seem entirely consistent.)

More practically, we believe the fuel taxes might better fit into and aid the total outdoor recreational program if treated like the D-J and P-R programs. (Certainly State matching funds would be quite readily available through the State taxes or fuel taxes which average 6 cents per gallon.)

To do otherwise would be inefficient in our opinion. Set up in a separate matching program like D-J and P-R, we could move ahead rapidly in the development of our recreational water resources, and particularly access. On the other hand, using the fuel taxes as part of the fund, while beneficial per se, cannot possibly produce equivalent matching funds or benefits. Also, many of the recreational boating agencies created very recently as a valuable byproduct of the Federal Boating Act of 1958, look to fuel taxes and such a matching program as the only likely source of funds to permit development of their programs. Most of these agencies are only today approaching the point in their process of "growing up" to make use of these moneys. Let us not rob them of their potential.

Again, let it be emphasized this concept is offered constructively as a fairer and more effective means of utilizing a boater contribution that is today being wholly lost (except in those States that have already effectuated marine fuel tax programs of their own). For certainly the boater is willing to do his share in paying for our total recreational programs. His only plea is that one way or another he be given reasonable assurances and protection that he will receive benefits commensurate to his contribution (as many other groups now do).

THE BOATER IS ACCUSTOMED TO PAYING HIS WAY

In addition to the estimated \$35 million of Federal marine fuel taxes and \$50 million of State fuel taxes, the boaters are also today paying Federal and State numbering fees (\$7.5 million), Federal trailer excise fees (estimated \$2.9 million), trailer license fees (estimated \$15 million) personal property taxes (often as a condition of numbering), sales taxes, Federal excise taxes on club dues for mooring, and local and States user fees. And then, in categorizing our taxpaying public, we forget we are often giving multiple identity to a single poor soul who really has but wallet. Thus the boater in one batch of statistics is more often than not the fisherman and hunter in others, and thus the same person is also paying the excises on this equipment, the licenses, the duck stamp, etc.

AIDING THE STATES TO DO A BETTER JOB

There are other particulars in which we believe S. 859 can be improved. As it is understood other groups will likely advance similar suggestions, we shall not dwell on these at length. We believe the legislation should be generally tightened. The various statements by the executive branch as to their intentions with respect to the proposed fund have been most reassuring, but we can see little harm in having the bill speak more for itself rather than relying quite so much upon collateral documents.

We likewise believe the bill extends too much discretionary authority to the President and the Executive. For example, we should like the Congress to place a ceiling on total Federal expenditures and allocations from the fund, and that consonant with the ORRRC depiction of the State's role as "pivotal," this limitation be set at about 40 percent. Similarly, the authorization of Federal entrance fees merits more exacting definition as to scope (if we're talking only about automobiles, why not say so), applicability (including assurance that payment of one entrance fee will in some cases not be simply the right to go further where some added fee will be exacted), and reciprocity privileges. Boaters may be unduly suspicious about such details, but then they have learned too often the proverbial hard way to exercise caution in this area.

Because we wholeheartedly agree with the ORRRC estimation of the role of the States, we would also recommend altering the matching requirements to follow the traditional D-J and P-R lines (75 percent Federal, 25 percent State). Otherwise, we fear the States will have grave difficulty finding matching funds without raiding some sources already committed to improving conservation and recreational resources.

We are also unsympathetic to the restriction imposed by section 5(e)(2). While it may be desirable to have some restriction on maintenance spending, the harsh limitation on development could be a real impediment, particularly in those States where there is already a surfeit of public lands. The requirement of Federal approval of an overall State recreation plan would seem to provide a satisfactory safeguard.

CONCLUSIONS

In summary, we support the basic objectives of S. 859 as we supported ORRRC. We do suggest a careful review of the mechanics and techniques which this bill proposes as the means to reach the desired objectives. We would prefer greater adherence to the ORRRC recommendations on financing, especially more reliance on general funds at the Federal level.

We suggest reappraisal of the philosophy of selecting a particular user fee, the Federal marine fuel tax, to finance a general program. The convenience of such a maneuver as an aid to creating the fund is undeniable, but what is expedient today may be seriously inefficient in the long run, particularly when such special user fee could be structured and utilized as a beneficial supplement to the basic program in the manner of the D-J and P-R programs which we know do work well. We are really wasting a key source of funds, both Federal

and State, by including fuel taxes in the fund. We are certainly stunting the growth of our new State boating agencies who otherwise would have the funds available to them to make the kind of contribution which has emanated from the fish and game departments.

The boater aims not to duck his financial responsibility, but to receive recognition for his continuing tax contributions and some assurance a fair share of the benefits will flow in his direction.

Finally, we support those things which would enhance the role of the States in making what we all hope will result in a major recreational breakthrough during the next decade.

Mr. LIFTON. Before talking about some of the specifics, I would like to place our basic position in perspective.

And that is that in general we very much favor the basic objectives of this legislation.

We supported the concept of ORRRC when that was an idea pending before the Congress. We support the results of ORRRC, even though there was no representative of the boating industry or support on either the Commission itself or its advisory council.

Nevertheless, we think that that report is a very significant document, and should be considered carefully by the Congress in implementing legislation.

We think too that one of the elements of that report which has been alluded to several times these last 2 days before the committee, that the States should play a pivotal role, is an extremely important concept, and we endorse that very thoroughly.

In our prepared statement we have made a number of suggestions as to what we think might improve the role of the States.

These are largely duplicative of suggestions that other witnesses have submitted to the committee, so I will no rehash them at this time.

But we think there are a number of things that can be done to better stimulate the States, allow them to play a greater role, and particularly allow them to do more in the way of development.

I would like to address my remarks primarily to a subject which I don't think anyone else has discussed at any length, and it is unlikely to come before the committee by any other witness.

And that is the use of the 4-cents-per-gallon marine fuel tax fund.

I think it is significant that in almost all the testimony that the committee has received to date that there has been little discussion of this.

I think this is readily understood when we view the fact that this tax, which is a user tax, is probably as true a user tax as you can imagine, because the more you use your craft, the more tax you pay, in direct proportion.

This is something which the consumer is already paying. And while he retains what is a right of refund of 2 of these 4 cents, in practice this has turned out to be largely a theoretical right, because the fact that for the individual the amount involved per year is small, and the fact that many people are ignorant of the right of refund, means that very, very little of these funds are actually refunded.

This is also true on the State level where the average tax on fuel is 6 cents per gallon, so that the average consumer actually pays 10 cents tax, of which 2 of the Federal is refundable and about three-fourths of the State tax is refundable.

Nevertheless, much of it remains with the agencies with which it is earmarked, and in most States and the Federal Government this means that it goes for highway purposes.

We are not opposed to the payment of user taxes per se. We think that where special services are provided a particular class of recreationist, that it is reasonable that they bear a portion of the charge.

We think, however, that one of the reasons that the fuel tax has not provided a good deal of comment before this committee is that it is really a very convenient thing to put into a bill where you are looking for sources of revenue other than the general fund.

I think it is felt, and I can see with a good deal of justification, that here is something that nobody is going to scream about if you take, except possibly the highway people a little bit, but the total amount in relation to this program is insignificant.

And it would help bolster up the fund if it did not have to rely on general appropriations.

The board reviews this with a little bit of mixed emotions, Mr. Chairman.

On the one hand, we face the present situation where we think the \$35 million being paid in fuel taxes to the Federal Government is going into a program for which the boater receives virtually no benefit whatsoever, other than as a general citizen, like benefits under the highway program.

Therefore, putting the fund, putting this \$35 million into the land and water conservation fund obviously would be a net gain to the boater, because some proportion of the money spent under this fund program would rebound to the benefit if the boater, while the bill is rather vague in many of these concepts.

We do understand it to be the intention of the Departments of Interior and Agriculture that many of the lands to be acquired and many of the developments which we would subsequently receive would revolve around water recreation projects.

Therefore, as I say, this would be a net gain.

On the other hand, we do see some difficulty with the rationale of using a specific user fee for a more or less general purpose.

Other user fees which are collected, and often on a matching program, are designed to be spent exclusively for the benefit of the groups paying the tax.

In this connection, I might note that it was suggested in testimony which was submitted to this committee under S. 3118 last year, the bill to create the land conservation fund in the last Congress, we mentioned a program which we thought would produce greater benefits through the use of these marine fuel tax moneys.

And that would be to establish a matching fund program comparable to the kind of programs we already have under the Dingell-Johnson and Pittman-Robertson programs, where the money would be more directly utilized for water resources improvements.

We think that while the use of the marine fuel tax in this program is, as I indicated, beneficial to the boater, to get the maximum benefit out of this tax money as a user tax, the maximum benefit would accrue if we were to set up a matching program as we have under Dingell-Johnson and Pittman-Robertson.

There is only one other element that I would like to mention here, and that is that the Congress in 1958 passed what was known generally as the Bonner Act, technically the Federal Boating Act of 1958, which served as a great stimulus to the States to adopt boating programs.

As of this date, 42 States and the Virgin Islands have passed implementing acts, and several others are pending at this time, including one which I understand has just gone to the Governor in the State of Wyoming.

Under these programs individual boating agencies or departments of conservation agencies devoted to boating have been created.

These are really fledgling agencies at this time. For the most part they depend entirely upon user fees themselves to exist, to wit, the numbering fees which are collected from the individual boater on the State level.

Now, these are relatively small funds, and for the most part, are barely able to cover administrative expenses and enforcement.

These fledgling boating agencies look and have looked to the marine fuel taxes as their only long-range method of financing increased boating programs, whether it be boating education or boating facilities and other water resource development.

It is felt that if the Federal Government were to take the money which the boater pays and which now goes to the highway fund, set it up in a separate fund like Dingell-Johnson and Pittman-Robertson, and allow the States to match them in an appropriate way, this would serve as a real stimulus to the States and would provide a large amount of money in a relatively quick manner and easy manner for immediate results.

So we look upon this, Mr. Chairman, as a desirable program, and we do suggest that in the analysis of how this should be financed, whether from user fees or out of general appropriations, that the really effective way of getting the most from the fuel tax dollar both paid to the Federal and the State Governments, the most effective way would be to set it up in this separate earmarked fund.

I mention this at some length because most of the discussion here before the committee, as I have heard it, has been not to the question of objectives to which most of us have agreed, but mostly to the question of how.

And therefore I have alluded mainly to this concept. We think very highly of the general conclusions of the Outdoor Recreation Resources Review Commission report, that outdoor recreation is a need that has been elevated or should be elevated so that it is a responsibility of the entire population.

And if this is true, if we accept this basic tenet of the Outdoor Recreation Resources Review Commission report, then I think that some of that philosophy should be reflected in the financing of a land and water conservation fund.

And certainly this would free the relatively small amount, \$30 or \$35 million, of the marine fuel tax, for more effective and beneficial use through a special earmarked fund.

Thank you very much for the right to appear before you, Mr. Chairman.

Senator MCGOVERN. Mr. Lifton, thank you.

And your entire prepared statement will appear in the record, and we are very glad to have it, as well as the special comments that you have emphasized here today on the marine fuel tax.

Is Dr. Anderson here?

Dr. Anderson, we will hear your statement at this time. You may proceed as you see fit.

STATEMENT OF JACKSON M. ANDERSON, ASSISTANT EXECUTIVE SECRETARY, AMERICAN ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION, AND RECREATION (NEA); ACCOMPANIED BY DR. WILLIAM DOVE THOMPSON, CHAIRMAN OF THE COMMISSION ON LEGISLATION, RECREATION DIVISION, AMERICAN ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION, AND RECREATION

Dr. ANDERSON. Thank you, Mr. Chairman.

My name is Jackson M. Anderson, and for the past 9 years I have served as assistant executive secretary and national consultant in recreation and outdoor education for the American Association for Health, Physical Education, and Recreation, which is a department of the National Education Association.

Immediately prior to assuming my present position in Washington, I served for 7 years as director of graduate study and research in recreation at Purdue University.

And I have with me Dr. William Dove Thompson, who is chairman of our commission on legislation on recreation division.

I have a prepared statement, Mr. Chairman, which I would like to submit for the record.

And in the interest of time I would like to just refer to part of this statement, if I may.

Senator MCGOVERN. Your statement will be included in the record. (The statement of Dr. Anderson is as follows:)

STATEMENT OF DR. JACKSON M. ANDERSON, ASSISTANT EXECUTIVE SECRETARY, AMERICAN ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION, AND RECREATION (NEA)

Mr. Chairman and members of the committee, my name is Jackson M. Anderson and for the past 9 years I have served as assistant executive secretary and national consultant in recreation and outdoor education for the American Association for Health, Physical Education, and Recreation, which is a department of the National Education Association. Immediately prior to assuming my present position in Washington, I served for 7 years as director of graduate study and research in recreation at Purdue University.

Our association—the American Association for Health, Physical Education, and Recreation—was organized in 1885. With over 33,000 members, it is the largest professional organization in America serving the field of recreation. Our affiliates include 19 national, 6 regional, and 52 State and territorial associations. Our outdoor education project—directed by Dr. Julian W. Smith—has sponsored leadership training workshops and clinics in most of the States. This project, now in its 9th year, has equipped thousands of teachers, school administrators, and other interested leaders with the philosophy, techniques, and basic skills to enable them to teach young people to enjoy America's outdoor recreation resources safely and wisely. The project has also developed a number of publications which have been helpful as interpretive and teaching materials in outdoor recreation.

I appreciate this opportunity to present our views on the bill now pending before the committee. We have followed closely the splendid work of Mr. Laurance Rockefeller and his Outdoor Recreation Resources Review Commission.

We feel that the recommendations submitted to Congress by this Commission constitute a vital blueprint for action to meet the outdoor recreation needs of our citizens in the years ahead. A significant step in implementing these recommendations was the establishment of the Bureau of Outdoor Recreation in the Department of the Interior. Your committee is to be congratulated in taking another important step in reporting favorably on S. 20, which would authorize this new Bureau to perform its logical functions and activities. We were pleased to testify before the committee in support of this bill.

The most urgent need now is to provide the necessary resources to meet the rapidly increasing public demands for more outdoor recreation areas and facilities. The legislation under consideration here would authorize and provide funds for a program of Federal assistance to States in outdoor recreation planning, and in the acquisition of lands and waters and the development of facilities for outdoor recreation. The bill would also provide means of financing recreational land acquisition by the Federal Government. Therefore, we are considering a bill of vital importance to the American people—one which will insure the right of our citizens of all ages to enjoy outdoor recreation.

The report of the Outdoor Recreation Review Commission notes that outdoor recreation resources are already insufficient to meet public demands, and the use of such areas is expected to triple by the year 2000. The report also points out that more than 90 percent of all Americans now participate in outdoor recreation activities, ranging from scenic driving to camping, hunting, fishing, picnicking, and swimming.

We are happy to see that the outdoor recreation grants-in-aid to the States provided by this bill would be on a matching basis. The principle of this provision is sound in that the Federal Government would provide help to those States which are willing to help themselves.

We note that the grants-in-aid funds for comprehensive State planning would be available to the States on a 50-50 matching basis. We have no quarrel with this formula. On the other hand, however, we note that Federal funds for State acquisition of needed outdoor recreation lands would only pay up to 30 percent of the costs, with the State supplying a 70-percent share. We feel this formula is inadequate and that the 30-percent limitation on Federal moneys used would seriously hinder the full intent of this legislation by imposing an undue hardship on the States. In view of this, we would strongly recommend that the bill be amended to include a more realistic formula which would permit the Federal Government to share at least 50 percent of the costs of needed outdoor recreation lands.

One of the significant provisions of the bill is that relating to development projects. Such projects are badly needed by the States. We are deeply concerned that the bill, as it now reads, would permit no more than 10 percent of the Federal funds available to a State in any one year to be used for development projects. This restriction would seriously curtail the completion of badly needed development projects in many of the States. Therefore, we hope the committee will amend the bill by deleting this restrictive provision.

With these amendments, we urge your favorite consideration of S. 859 because we feel this legislation is essential to provide the areas and facilities so vitally needed to insure adequate outdoor recreation opportunities for all citizens now and in the years ahead.

Dr. ANDERSON. First, let me say that your committee is to be congratulated for taking the important step of reporting S. 20 favorably, which is now on the floor of the Senate. We were pleased to testify before the committee in support of this bill.

The most urgent need now, as we see it, is to provide the necessary resources to meet the rapidly increasing public demand for outdoor recreation areas and facilities. And we feel that the bill now under consideration would adequately meet this need.

Therefore, we are considering a bill of vital importance to the American people, one which will insure a right of our citizens of all ages to enjoy outdoor recreation.

We are happy to see that the outdoor recreation grants-in-aid to the States provided by this bill would be in a matching basis. The

principle of this provision is sound, in that the Federal Government would provide help to those States which are willing to help themselves.

We note that the grants-in-aid funds for comprehensive State planning would be available to the State on a 50-50 matching basis. We have no quarrel with this formula.

On the other hand, however, we note that Federal funds for State acquisition of needed outdoor recreation lands would only pay up to 30 percent of the costs, with the States supplying a 70-percent share.

We feel this formula is inadequate, and that the 30-percent limitation on Federal moneys used would seriously hinder the full intent of this legislation by imposing an undue hardship on the States.

In view of this, we would strongly recommend that the bill be amended to include a more realistic formula, which would permit the Federal Government to share at least 50 percent of the costs of needed outdoor recreation lands.

And for the committee's information, Mr. Chairman, I am referring to the provision on page 9, lines 21 to 23 of the bill.

One of the significant provisions of the bill is that relating to development projects.

Such projects are badly needed by the States. We are deeply concerned that the bill as it now reads would permit no more than 10 percent of the Federal funds available to a State in any one year to be used for development projects. This restriction would seriously curtail the completion of badly needed development projects in many of the States. Therefore, we hope the committee will amend the bill by deleting this restrictive provision.

And, again, for reference, I refer to page 11, lines 23 to 25, and page 12 of the bill, lines 1 to 3.

Now, Mr. Chairman, with your permission I would like to make two other points which were not included in my statement, but to which other witnesses have testified.

One is the matter of user's fees. Our association feels that the principle of user fees for developed areas or for those areas providing special services is a sound one, and we would endorse this principle.

And we are sure that this is the soundest way of financing the particular provisions of this bill.

Under section 5, beginning with line 4 on page 14 of the bill, the President is authorized to transfer to the Housing and Home Finance Administrator certain planning functions.

We can see no sound reason for doing this. We feel that the interests of the bill would be better served and the interests of the country would be better served if these functions were to remain with the Secretary of the Interior.

And we would recommend this to the committee.

Now, Mr. Chairman, in conclusion, we urge with these amendments the favorable consideration of the committee of S. 859, because we feel this legislation is essential to provide the areas and facilities so vitally needed to insure outdoor recreation opportunity for all citizens now and in the years ahead.

That completes my statement, but I would like to submit for the record an addendum which has been prepared by my colleague, Dr. Thompson who, as I mentioned, is chairman of our commission on

legislation and, with your permission, I would like to have this included in full in the record of these hearings.

Senator McGOVERN. Dr. Anderson, the addendum will be included as a part of the record.

(The addendum by Dr. Thompson is as follows:)

ADDENDUM BY DR. WILLIAM DOVE THOMPSON, CHAIRMAN OF THE COMMISSION ON LEGISLATION, RECREATION DIVISION, AMERICAN ASSOCIATION FOR HEALTH, PHYSICAL EDUCATION, AND RECREATION

Mr. Chairman and members of the committee, we of the recreation division being the key members of the American Association for Health, Physical Education, and Recreation (NEA) most directly interested in outdoor recreation submit the following addenda in the interest of the committee's time rather than to appear in a possible repetitive manner in duplication of Dr. Jackson M. Anderson's presentation.

The recreation division is the particular membership of the American Association for Health, Physical Education, and Recreation working daily in the field of recreation. To us the great need for the acquisition of more open spaces for worthy use of leisure time is paralleled by the already apparent requirement for immediate further development of the current county, State, and Federal recreation land holdings as well as those to be added. These acquisitions and developments should be a cooperative venture on the part of the county, State, and Federal government plus reasonable and equitable users' fees to be established by experienced professional persons educated and trained in the field of recreation and government. Mechanics for each of these above mentioned methods and procedures can be instituted, we anticipate, in accordance with the provisions presented in S. 859. It is our experienced judgment as individuals who operate both outdoor and indoor recreational facilities that the establishment of fees does not interfere with public attendance. In our best judgement the public is, to be trite, "ready, able, and willing" to pay as it goes.

In fact, some degree of satisfaction appears to be prevalent as the individual helps meet the costs for his personal pleasure. The terrific increase in demands for immediate uses of outdoor recreation facilities when properly developed are occurring with concurrent establishment of the users' fees system.

We find that the persons who use public recreation facilities are more than willing to contribute directly to their purchase, programing, leadership, maintenance, and repair. Seldom can these recreation facilities be provided and operated successfully unless the leadership can depend to a high degree upon users' fees for assistance following the purchase; quite frequently the funds collected will meet the operating costs.

People pay for all kinds of commercial recreation; the cost doesn't reduce attendance. The phenomenal growth of private recreation attests to the fact that users' fees certainly aren't out of the ordinary; collection of fees for use of public facilities will not be unpopular. We see no real difference in the public attitude in regard to paying for private or public recreational resources and programs provided the latter are reasonable.

A program in outdoor recreation in the national interest such as envisioned in S. 859 will never get off the ground unless Federal assistance is afforded. Therefore, we support the general principles of the bill S. 859 and lend our support as dedicated professional recreators striving to provide public recreation for the American people. We sincerely hope that this bill in final form will be sufficiently flexible to allow for astute acquisition of land where needed, development of public land at the appropriate government level under professional recreators, and that the prime factor be in the interest of the family group.

Senator McGOVERN. We appreciate your statement.

I might just raise one question with you, Dr. Anderson.

We are intentionally keeping this questioning at a minimum this afternoon, because we have got quite a number of witnesses yet to be heard.

Secretary Udall stressed in his statement yesterday that he thought this was an educational opportunity in this user fee program, in that this would be a way of bringing home to the individual recreation

user the importance of expanding our recreational facilities in the country. Do you see any validity in that point of view?

Dr. ANDERSON. Yes, sir.

I think that as Americans we have a basic philosophy that if anything is good then we probably have a right to pay for it.

And I think that the principle of user fees—certainly my own experience with recreation, is that it has been a sound one.

We have it in many facets, of course, of other enterprises and many facets of the recreation enterprise.

We pay for commercial recreation. And I think that this point has been made before, but I will say it again, is that there will not be serious opposition to this if a good interpretation program is conducted to explain this to the public.

I think that you will find that people are ready to accept this in principle, and that the fact that these funds are being put back into their own States and their own programs will be very palatable to them, and will make for its increasing acceptance as a principle of financing outdoor recreational opportunities.

Senator MCGOVERN. Thank you very much, Dr. Anderson. We appreciate your statement.

STATEMENT OF DONALD BALDWIN, DIRECTOR OF LEGISLATIVE RELATIONS, NATIONAL LUMBER MANUFACTURERS ASSOCIATION

Mr. BALDWIN. I am Donald Baldwin, director of legislative relations for the National Lumber Manufacturers Association.

Mr. Ralph Hodges, who was scheduled to testify, was called out of town and could not be here today. I would like to submit his statement for him.

I would like to submit for the record as though read at this point, and merely reread certain sections of it, if I might.

Senator MCGOVERN. You may proceed in that fashion, and we will see that the entire statement appears as a part of the hearings.

Mr. BALDWIN. NLMA, with headquarters in Washington, D.C., is a federation of 16 regional species and products associations representing the lumber manufacturing industry in all parts of the United States.

Members of the associations federated with NLMA account for a major part of the lumber production of the United States and a substantial part of the commercial timberland ownerships.

As you recognize, the lumber industry—including owners, managers, and employees in the thousands of lumber communities in which our industrial plants are located—is completely dependent upon forest resources for the raw material with which it serves the national need for lumber and wood products.

Consequently, we are deeply concerned with any legislation which affects the forest resources, and have given careful attention to the provisions of the pending legislation.

SUPPORT OBJECTIVES

The lumber industry supports the objectives behind this legislation. We supported the Outdoor Recreation Resources Review Commission during its studies and have endorsed its report, "Outdoor Recreation for America."

We are pleased to note the emphasis this bill places on State action as was urged by the ORRRC. We believe the major Federal emphasis should be on the development of multiple-purpose recreation areas on federally owned and administered lands.

The lumber industry, working under the multiple-use concept of forest land management, supports recreational development on Federal lands.

At this point, Mr. Chairman, I would like to skip the rest of the statement and have it, as you suggested, put in the record at this point, and skip over to my concluding remarks.

(The statement referred to is as follows:)

STATEMENT OF DONALD BALDWIN ON BEHALF OF THE NATIONAL LUMBER MANUFACTURERS ASSOCIATION

Mr. Chairman and members of the committee, I am Donald Baldwin, director of legislative relations, with the National Lumber Manufacturers Association. NLMA, with headquarters in Washington, D.C., is a federation of 16 regional species and products associations representing the lumber manufacturing industry in all parts of the United States.

Members of the associations federated with NLMA account for a major part of the lumber production of the United States and a substantial part of the commercial timberland ownerships.

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WE PROVIDE RECREATION

Although timber is the No. 1 product of industrial timberlands, private forest managers give consideration to other land uses—soil conservation, pure water yield and storage, wildlife food and habitat, forage for domestic livestock, and outdoor recreation.

For example, one company which harvests timber from its tree farms for paper, plywood, and lumber in 1960 welcomed over 25,000 big-game hunters onto the same lands. The hunters killed over 3,700 deer, elk, bear, and other animals.

With the boom in recreation for a growing population industrial forests have taken on added importance for hunting, fishing, camping, picnicking, water sports, and winter sports. The extent to which industry has hung out the "Welcome Visitor" sign is shown in results of a 1960 nationwide recreation

survey of industry-owned forest land by American Forest Products Industries, Inc.:

Number of recreation visits per year-----	6, 057, 000
Companies operating public parks and picnic areas-----	107
Parks and picnic areas open to public-----	296
Miles of road open to public-----	54, 739
Acres open to hunting-----	53, 654, 702
Miles of stream available for fishing-----	37, 255
Acreage of lakes open to public-----	734, 700

SUPPORT USER FEES

The lumber industry endorses the establishment of realistic recreation user fees. The placing of an economic value on Federal recreation facilities will greatly encourage the development of private recreational areas. Recreation on private lands has generally been inhibited by free public facilities and industrial owners who have made their lands available for recreational use have generally had to bear the entire cost, which frequently is quite substantial.

This committee's recent report on S. 20 included the ORRRC recommendation that a very large part of the Nation's recreation needs be met by private interests. Naturally, this meets with our approval.

We support recreation user fees because we believe each resource use should bear its share of the costs. It is not only fair, but reasonable fees which compensate for costs involved will encourage a tremendous increase in private recreational development.

Currently around 95 percent of national forest revenues come from the sale of timber. Establishing realistic recreational user fees would be a step toward placing Federal resource activities in a true economic perspective.

INCONSISTENT PROVISION OF BILL

As stated before, the lumber industry supports the objectives behind this legislation. However, one provision of the bill is totally out of place. It is not consistent with the concepts and objectives of this legislation and the report of the ORRRC. This bill would authorize tens of millions of dollars annually for the Forest Service to purchase private forest lands for purposes not necessarily related to recreation.

There are approximately 38 million acres of land other than national forests within the exterior boundaries of the national forests. Much of this land is highly productive forest land which is currently making its maximum long-term contribution to the economy of the local communities and the Nation. Millions of acres of well-managed private forest land within national forest boundaries is the mainstay of productive industries.

Although this bill specifically states that it grants no new acquisition authority the Forest Service is already amply endowed with authority under several acts to acquire the vast majority of the private lands within the national forests. All it needs is the money provided by this bill.

ADDITIONAL LANDS UNNECESSARY

A clear indication that vast additions to the national forests are not needed for recreation came from Secretary Freeman last month when he cited the availability of 106,830 miles of trails in 154 national forests throughout the country for hiking. In his statement that "there are trails for all ages and degrees of ability" Secretary Freeman concluded that "they are within a half day's driving distance of almost every American family."

National forest acreage need not and should not be increased. Instead attention should be given to developing the full potential of present national forest acreage—this includes timber and grazing as well as recreational and wildlife uses.

EXISTING ACQUISITION METHODS ADEQUATE

If there are certain definite tracts of land which the Forest Service feels it must have in order to adequately provide recreational opportunities on existing national forest lands there are several methods already sanctioned by law by which these tracts can be acquired.

Lack of Forest Service access routes to national forest lands presents no insurmountable barrier. The Forest Service, with right of condemnation, can acquire any desired right-of-way by merely instituting a condemnation suit and depositing a portion of its requested \$77 million road fund at the courthouse. Actually, most access problems can be easily solved by negotiations.

Special acts of Congress have been enacted for numerous desired national forest acquisitions which were not eligible for acquisition under the Week's law. This year Congress has been requested to appropriate funds for land acquisition under seven of these special acts in addition to the \$500,000 requested for acquisition under the Week's law.

The Forest Service also has the authority to exchange national forest land for lands within the boundaries of national forests desired by the Forest Service. This would seem to be a far more desirable method of acquiring recreational sites than outright purchase of more forest lands.

CONCLUSION

We do not believe it is the intent of the ORRRC or of this bill to have the Federal Government acquire lands to provide new local recreation facilities. The Federal land managing agencies should acquire only those key tracts of land essential for adequate development of existing Federal recreation areas. Certainly the authority in this bill for a national forest land acquisition program for nonrecreational purposes should be removed.

The emphasis of this bill and on our Nation's recreation efforts should be on development and establishment of adequate recreational sites in and adjacent to our Nation's population centers. This is first and foremost a State responsibility in which the Federal Government can participate best by assistance.

The chief aim of Federal recreation activities should be the development of existing Federal recreation sites to meet the demonstrated needs of the public for recreational opportunities.

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The chief aim of Federal recreation activities should be the development of existing Federal recreation sites to meet the demonstrated needs of the public for recreational opportunities.

This concludes my oral statement, Mr. Chairman.

Senator MCGOVERN. Thank you ever so much, Mr. Baldwin.

Senator SIMPSON.

Senator SIMPSON. I was just going to say it is too bad you couldn't read it all. It is a good statement.

And I subscribe to your recommendation that the acquisition of this land is totally unnecessary, and there are no funds to be used for this purpose, and I think an amendment will be made implementing that.

Mr. BALDWIN. Thank you very much. We appreciate that support.

Senator MCGOVERN. Thank you very much.

Is Mr. Prendergast here?

STATEMENT OF JOSEPH PRENDERGAST, EXECUTIVE DIRECTOR,
NATIONAL RECREATION ASSOCIATION

Mr. PRENDERGAST. I am here to represent the National Recreation Association, a nationwide, nonpartisan, nonsectarian civic organization serving the entire field of recreation—including some 2,000 public and private recreation agencies at all levels of government—local, State, and National—and some 4,700 professional and volunteer recreation leaders in over 1,900 communities across the Nation.

I have recently returned from a cross-country tour in which I discussed the present and future services of the Federal Government in the field of outdoor recreation with several hundred park and recreation leaders.

Among other things, I found broad support for and understanding of the Bureau of Outdoor Recreation and a very sincere hope that Congress and the Secretary of the Interior would give it the authority and resources it must have to do the job that so desperately needs to be done.

The need for the planning, acquisition, and development of recreation areas is not limited to any one section of the country or to any one level of government. The need, however, increases as one goes down the levels of government from Federal to State to local. It also increases in direct proportion to the population of the various sections of the country.

In this day of expanding leisure time the greatest need for outdoor recreation areas is where there is the greatest number of people—that is, the metropolitan and urban areas.

I believe you can count on the local and State governments to do their share, which is, of course, the greatest and most important share in the development of a nationwide recreation system, but the Federal Government must, in its own name and on its own responsibility, do more than it has done or is now doing to create such a national recreation system.

Based on our present knowledge backed by over 57 years of experience serving public and private recreation areas at all levels of government, the association supports Senate bill 859, to establish a land and water conservation fund to assist the State and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people.

The association notes with approval that the express purpose of the bill is—

to strengthen the health and vitality of the Nation by assuring the availability and accessibility of land- and water-based outdoor recreation opportunities of such quality and quantity as are necessary and desirable for the benefit and enjoyment of the people.

The association supports the bill for two main reasons:

First, because the bill provides a fiscally responsible means of financing the timely and orderly acquisition by the Federal and State Governments of an adequate land and water recreation base for the entire country.

Second, the bill rightfully and properly puts the emphasis on the need for the State governments to carry the major burden of providing such a national land and water recreation base and yet recognizes that

it is essential for the Federal Government to give national leadership and financial support to such a major national undertaking on which the future health and welfare of the American people so largely depends.

The association approves the proposal that Federal land and water acquisitions and the financing of the grant programs to the States should be provided by a mixture of annual appropriations from General Treasury funds—to be repaid—and annual appropriations against certain Federal revenues dedicated to the support of the program.

It is noted with approval that only such moneys would be transferred to the land and water conservation fund as the President may deem appropriate to assist the State and Federal agencies as prescribed in the bill and that “moneys placed in the fund shall be available for expenditure for the purposes of the act only when appropriated by Congress.”

Although the ORRRC report recommended that the Federal grants be appropriated from General Treasury funds on an annual basis, and as a member of the National Advisory Council to the Commission I agreed with that recommendation at the time because of the broad social values of the proposed outdoor recreation program, I now feel, because of changed economic conditions and the present and probable future state of the Federal budget, that the Federal acquisition and State grant programs should be financed as provided in the bill. General appropriations only should be used for the development and administration of Federally owned or acquired land and water recreation areas.

The association notes with approval that the bill provides that any entrance and user fees established—

shall be fair and equitable, taking into consideration direct and indirect cost to the Government, the benefits to the recipient, public policy, or interest served, and other pertinent factors.

The setting of such fees will be, as they always have been, a most difficult undertaking. Those of us in the recreation field have given a great deal of thought to this question in the past and it is under soul-searching scrutiny right now because of mounting costs combined with growing needs.

At present we can only suggest two basic principles to be followed: First, general admission fees to general areas should be reasonable fees selected to permit the broadest public use of such areas, and, second, user fees for special areas or services should be closely related to the cost of providing such special areas of services. Admission and user fees should not be expected to return the full capital invested or even to meet the annual cost of administration in all cases. Nor should they be used as a control device for limiting use of an area or to favor special groups.

After all, the basic purpose of the bill is to make it possible for all Americans to use and enjoy the outdoor recreation resources of the country, not only for their own individual benefit but for the welfare of the Nation as a whole.

I regret that a distinction is growing up within the Federal Government between the planning for and acquisition of recreation areas and parks for urban and for nonurban areas and that confusion is

increasing throughout the country concerning the proper roles of the Secretary of the Interior and the Housing and Home Finance Administrator in the general field of outdoor recreation.

Both of these gentlemen are fine men and they have excellent agencies devoted to the welfare of our Nation, but from the point of view of the State and local agencies concerned with outdoor recreation there seems to be an unnecessary overlapping and duplication between them which the bill now under discussion would increase.

Title VII of the Housing Act of 1961 states that one of its purposes is—

to help provide necessary recreational, conservation, and scenic areas by assisting State and local governments in taking prompt action to preserve open space land which is essential to the proper long-range development and welfare of the Nation's urban areas.

The Housing and Home Finance Administrator is authorized "to make grants to States and local public bodies to help finance the acquisition of title to, or other permanent interest in, such land."

The Housing Act of 1961 also provides that—

the Administrator shall consult with the Secretary of the Interior on the general policy to be followed in reviewing applications for grants. To assist the Administrator in such review, the Secretary of the Interior shall furnish him appropriate information on the status of recreational planning for the areas to be served by the open space land acquired with the grants.

Now S. 859 under discussion here authorizes—

the Secretary of the Interior to provide financial assistance to the States * * * to carry out the purposes of this act for outdoor recreation: (1) planning, (2) acquisition of land, waters or interest in land or waters or (3) development.

Then in section 5(d) on page 14 of S. 859 in lines 6-10, it is provided that—

the President is authorized to transfer to the Housing and Home Finance Administrator such functions relating to planning assistance of the Secretary under this section as the President may deem desirable, together with any funds available therefor.

In section 5(d) lines 4-7 on page 10 of S. 859 it is stated that—

a comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects—

and that—

the plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable to other State, regional, and local plans.

It seems to me that the provisions of S. 859 and the Housing Act of 1961 quoted above are in direct conflict one with the other. I suggest that the best solution would be to give the Secretary of the Interior full responsibility for the development of the nationwide outdoor recreation plan, as in fact Senate bill 20 now before the Senate would do. Such a nationwide plan would include both nonurban and urban outdoor recreation areas.

It should also be the responsibility of the Secretary to see that such an outdoor recreation plan meets the criteria established by the Housing and Home Finance Administrator for the comprehensive planning of urban areas.

In other words, the Administrator would be concerned with the comprehensive planning of urban areas which would include a great deal more than just planning for outdoor recreation areas while the Secretary of the Interior would have the responsibility for the overall national planning for outdoor recreation and the outdoor recreation area aspects of urban planning within the Administrator's comprehensive planning.

The solution I am suggesting is, I believe, already indicated in lines 24 and 25 at page 10 and lines 1, 2, and 3 of page 11 of S. 859 where it is stated that—

any statewide outdoor recreation plan prepared for purposes of this act shall be based upon the same population growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency's finance plans.

I suggest that lines 6-10 on page 14 of the bill be stricken out.

I would also like to suggest two amendments to section 6 on pages 14 and 15 of S. 859. That section now provides for the appropriation of moneys for the acquisition of land and waters under four specific headings: (1) National Park System; Recreational Areas; (2) National Forest System; (3) Threatened Species; and (4) Recreation at Refuges.

It is suggested that subsections (3) and (4) on page 15 of the bill be combined and restated as follows:

(3) National Wildlife Refuge System.—Within the existing areas of the national wildlife refuge system, or those hereafter authorized, including proposed national wildlife monuments, for the preservation of species of fish or wildlife threatened with extinction or destruction, severe curtailment, or drastic modification of their habitat, and for the incidental recreation purposes of section 2 of the act of September 28, 1962 (76 Stat. 653).

My second suggestion is that the words "Recreational Areas" on lines 19 and 20 of page 14 of the bill and the clause "and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes" in lines 22, 23, and 24 of page 14 be stricken out and that there be inserted on page 15 at line 7 a new subsection (4) with the subtitle "National Recreation Area System" containing the following language:

Within the exterior boundaries of areas now or hereafter authorized by the Congress for outdoor recreation purposes.

In the past, under the leadership of the Federal Government there have been developed nationwide systems of forests, parks, and wildlife refuges selected on the basis of stands of trees, unusual scenic or historic sites, and the presence of irreplaceable bird and animal life.

Now what needs to be done is the development of a nationwide system of recreation areas—National, State, and local—not selected for their timber growth, their scenic beauty or their wildlife, but selected for their potential recreation use by large numbers of people.

My proposal is, in short, that there be developed a nationwide pattern or system of recreation areas on the national, interstate, metropolitan, county, and municipal levels, to complement and supplement the present and future nationwide systems of parks, forests, and wildlife refuges.

I believe the establishment of such a nationwide system of recreation areas would be in line with the recommendations of ORRRC under the first of its five general categories of recommendations, that

is, a "National Outdoor Recreation Policy." Such a nationwide system would also be in keeping with ORRRC's recommended "Guidelines for Management" including its proposed system of classifying outdoor recreation resources.

The purpose for developing such a nationwide system of recreation areas should be, in the words of Public Law 85-470 (June 28, 1958) establishing the Outdoor Recreation Resources Review Commission—

to assure accessibility to all American people of present and future generations such quantity and quality of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural and physical benefits that such outdoor recreation provides—

for the American people.

The development of such a nationwide system of recreation areas would also give real meaning to the belief of Edward C. Crafts, Director of the Bureau of Outdoor Recreation, that the emphasis of the Bureau—

needs to be on the needs of people whereas too often in the past the emphasis on outdoor recreation has been on the utilization of a resource.

The multiple-use concept of resource management includes recreation as one of the most important uses of our national resources of land and water. Just as in one particular area it may be the lumbering, mining, or grazing use which should be predominant, while recreation and other uses are secondary in importance so in another area, the recreation use should be the predominant use.

If the Federal Government expects, as it should, the States and their political subdivisions to carry the greater burden of the acquisition, development, and administration of a nationwide outdoor recreation system, I believe it should show the way itself on those recreation areas of national importance and significance.

A national recreation area should have that national importance and significance required of a national forest, a national park, or a national wildlife refuge, but that importance or significance instead of being judged by its timber stand, by the scenic, scientific or historic value of the area, or by its importance to the preservation of national species of fish or wildlife, should be judged by its recreation importance or significance in terms of national recreation use, i.e., the number of persons and the extent of the geographic area from which they come. Such national recreation areas would relieve the mounting pressure on national parks and forests for recreation use not always compatible in whole or in part with those areas.

With reference to national recreation areas, I am speaking particularly on behalf of the millions of Americans who live in the urbanized East where there are relatively few wildlife refuges or areas now or potentially within the national park system or the national forest system and where few additional national parks, national forests, or national wildlife refuges will probably even be authorized.

The proposed national recreation areas should be managed as recreation areas by the Federal agency holding the land, or they could be managed by the National Park Service, a Federal recreation service or any other designated agency for recreation purposes under agreements with the agency holding basic jurisdiction.

In conclusion, I would say that only the national recreation areas referred to above together with the national wildlife refuges, the national parks and the authorized areas of the national forest system administered for outdoor recreation purposes should be subject to the proposed general admission and user fees. All other Federal land would continue to be open and free to all.

Senator McGOVERN. Mr. Alfred B. LaGasse of the American Institute of Park Executives has had to leave. We are sorry not to hear him but his statement will go in the record at this point.

(The statement is as follows:)

STATEMENT OF ALFRED B. LaGASSE, EXECUTIVE DIRECTOR, AMERICAN INSTITUTE OF PARK EXECUTIVES, INC., OGLEBAY PARK, WHEELING, W. VA.

Mr. Chairman, members of the committee, this statement represents the united support of the American Institute of Park Executives representing over 3,500 park and recreation professional people throughout the country functioning at all levels of government. Through a continuing education program, this institute has endeavored to raise the standards of park conservation as a profession.

To meet the recreation needs of an expanding mobile population, land acquisition must be our ultimate goal before our outdoor recreation resource areas are preempted for other uses and it is no longer economically feasible to acquire them.

The park and recreation movement in this country, as we know it today, began over a hundred years ago. We have broadened from the acquisition of one piece of community property to whole systems of park and recreation areas, at the local, metropolitan, county, State and national levels of government ownership and authority. With private philanthropic resources drying up, and the increase in land prices, our dependence upon government to acquire these recreation resource lands has become necessary. The "Land and Water Conservation Fund" bill is a bill to acquire land and water resources for the recreational enjoyment of all our peoples.

The importance of recreation for a happy, healthy nation has been firmly established. You are all familiar with the report of the Outdoor Recreation Resources Review Commission. This report fully emphasizes the need for healthful usage of outdoor recreation resources. This need cannot be denied nor is a reiteration of this need necessary at this time.

In addition to the time and service factors involved, there is one factor which may be overlooked. This is the increasing importance of park use and recreation participation in our national economy.

Only two Federal agencies, in the past, have been concerned in an active way with the economic effect of these resources, namely: the National Park Service and the Civilian Conservation Corps. This concern, however, has lagged behind other areas of interest, such as service, although this economy has affected many people and the Nation as a whole. The construction done by the Civilian Conservation Corps, the development of the National Park System, and the building of vast park and parkway networks throughout this Nation have played no insignificant part in our Nation's economic optimism. Many citizens have been involved, have taken an interest, and have welcomed this construction and development. Our national parks have been a significant source of national pride.

The recreation resource field has become a formidable phase in our national economy. The sports field alone is now a \$50 billion-a-year industry. Add to this, urban agriculture and the economy becomes significant and not to be overlooked by the Federal Government. Urban agriculture gives a wide manufactured-product outlet, makes jobs available, greatly aids rural agriculture through plant material consumption, and is the source upon which a great diversity of service industries depend. This leisure market may someday, if not already, become the truly dynamic component in our economy.

To provide our present generation and generations to come with outdoor recreation opportunities, land acquisition is now the prime consideration. We are dependent upon all levels of government for this acquisition. Therefore, on behalf of the American Institute of Park Executives and the millions of American citizens whose recreation needs are increasing and changing, I urge that you recommend the passage of this bill to create a land and water conservation fund for recreation land and water acquisition by the Federal and State Governments.

The alternative may be a loss forever of these lands for public recreation use and an adverse effect on our national economy through the resultant curtailment of leisure-time spending.

We support this bill and urge that you recommend its passage.

Senator McGOVERN. We will hear next Mr. Keith Wilson.

STATEMENT OF KEITH WILSON, DIRECTOR, MICHIGAN STATE WATERWAYS COMMISSION, REPRESENTING NATIONAL ASSOCIATION OF BOATING LAW ADMINISTRATORS

Mr. WILSON. My name is Keith Wilson and I am director of the Michigan State Waterways Commission. However, I am here today as a member of the legislative committee of the National Association of Boating Law Administrators, and am testifying in behalf of that organization. This group, as its name implies, is an association of officials of the various States charged with the responsibility of administering boating regulatory and development programs. At the present time, about 40 individual States are represented in the association and take an active part in its activities.

As an individual primarily concerned with the development of adequate boating facilities, and representing an association of a similar concern, I am hopeful that the present bill will adequately provide for the development of such facilities along with other needed recreational programs. It is to be noted that about one-fifth of the total revenues allotted to this program come from a distinctly marine source, the Federal marine fuel tax. Our association and other boating groups throughout the country have, for some time, been considering possible programs whereby this revenue could be returned to the States in the form of grants for use in developing boating facilities. We are now operating upon the premise that this bill will provide for such a program if requested by an individual State and otherwise qualifying for assistance.

We are happy to note that the prior proposal of the administration to levy an excise tax on recreational watercraft has been dropped from this bill. Recreational boating, as you may recall, was the subject of congressional action in 1958 with the passage of the Federal Boating Act of 1958, the so-called Bonner bill. As a result of this legislation, most States adopted numbering programs which have been accepted by the U.S. Coast Guard whereby the States have undertaken the responsibility of registering such craft. Many of these registration acts also recognized the existence of watercraft for taxation purposes and provided for the levying of taxes and fees on watercraft not previously in existence. After establishing such a program it would seem to the average boatman as transcending the bounds of decency for Congress to revisit the scene, as it were, by levying an additional tax on the Federal level.

Boating has always been willing to pay its own way and to provide funds for the development of boating facilities. Programs of this nature have been established in many States and are now under consideration in additional States. Since the States have, by and large, rather effectively levied on this area of recreation for most of the revenues reasonably available, it would do nothing but harm to the sport and to the many State programs to have the Federal Government enter

this same tax area. We appreciate the restraint of the administration in this area and hope that similar restraint will be exercised by Congress in consideration of this bill.

The association has several comments to make on the specific wording of the bill itself. The first comment applies to section 5(c) of the bill wherein matching requirements are established as 50 percent for planning projects and not more than 30 percent of the cost of acquisition or development projects. It is noted that this is one of very few areas in which the policy of the bill differs from the recommendations of the Outdoor Recreation Resources Review Commission, and it is lamented by the association that such a deviation should occur in this important area. ORRRC recommended matching grants for planning purposes, beginning at 75 percent in the first year and declining thereafter, and for grants of 40 or 50 percent for acquisition and development, depending upon the nature of the project.

It is easy to understand the reasoning behind the recommendations of ORRRC, but it is difficult to determine the logic of this section of the bill. Since the entire future of a State, under the bill in its present form, depends upon its ability to develop an acceptable comprehensive State plan, every effort should be made by the Federal Government to assist to the greatest extent possible in this goal. Without this plan there will never be any local developments, and the entire purpose of this bill is to secure additional recreational projects and areas. This goal would seemingly be better served by grants based upon the ORRRC recommendations since the availability of these additional funds should serve as considerable stimulus to the various States to undertake the required planning. It should also be noted that State appropriations for planning purposes are not always easily obtainable for one reason or another, and the availability of Federal funds to the extent of 75 percent of the cost of the planning project would certainly be a considerable inducement to the various legislatures to provide the required local share.

The association also feels that an equal matching requirement for development projects will be necessary to accomplish the goals of this legislation. With the current State programs already being criticized as too little and too late, it is hard to imagine a matching requirement of the type contained in this bill causing any great forward impetus in the area of recreational developments. It is also noted that virtually every other Federal grant-in-aid program is at least on the 50-50 level and it is difficult to find any logic behind the 30-percent recommendation of the bill. Highways are now being built with 90 percent Federal funds and I seriously doubt that anyone reading the report and recommendations of the Outdoor Recreation Resources Review Commission could argue that the situation in recreation today is any worse than it was in our national highway program several years ago when Federal assistance was first granted.

We are also critical of section 5(e) of the bill, whereby a 10-percent limitation for 10 years is placed upon the use of funds for development projects. It is true that there is a great need for obtaining additional recreation areas and that emphasis need be placed upon such a program, but it is felt that the emphasis added in this bill is going too far. In addition, the needs of the various States differ somewhat, and I believe it is quite possible that there are States needing actual de-

velopment of lands already owned by the State more than they need additional areas for later development. It is also felt that this provision gives undue recognition to one of the recommendations of the Outdoor Recreation Resources Review Commission at the expense of other recommendations containing at least the same weight. Legislative freezing of policy in this manner is not considered in the best interests of the bill or of recreation in general, and it is hoped that this committee will recommend modification of this language.

With these exceptions, the National Association of Boating Law Administrators finds the bill to be substantially responsive to the recommendations of Outdoor Recreation Resources Review Commission, which recommendations the association believes to be desirable. We urge this committee to give favorable consideration to this measure and to the amendments suggested herein.

Thank you, Mr. Chairman, for this opportunity to testify in behalf of the National Association of Boating Law Administrators.

Senator McGOVERN. Thank you.

Our next witness is Dr. Spencer M. Smith, Jr., of Ottumwa, Iowa, secretary of the Citizens Committee on Natural Resources, of Washington, D.C.

STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE ON NATURAL RESOURCES, WASHINGTON, D.C.

Mr. SMITH. I am Dr. Spencer M. Smith, Jr., secretary of the Citizens Committee on Natural Resources, a national conservation organization with offices in Washington, D.C. Many of our board of directors, being long-time conservationists, have played a variety of roles in seeking to solve the problems of outdoor recreation. All of us greet with enthusiasm the opportunity to support S. 859 as the serious beginning of fully implementing the recommendations of the Outdoor Recreation Review Commission.

In normal circumstances it might be required that a detailed analysis be given of recreational needs outlining the difficulty of meeting the burgeoning demand for outdoor recreation, but since this committee is so very knowledgeable in dealing daily with these problems, it does not appear necessary to convince these committee members of this need. At the further risk of being dogmatic, one can almost assume as given the even greater demands for outdoor recreation in the future. Every projection by local, State, and Federal agencies, having some responsibility in this general area, point to the ever increasing demands for outdoor recreation concomitant with the serious difficulty of our outdoor recreational resources to meet these needs. In addition thereto, the studies by scientific societies and similar organizations support the most embracing of all studies—the ORRRC report.

It has been deemed wisely that outdoor recreation resource will not be adequate to the task ahead, if we are to rely on appropriating the necessary funds from the General Treasury. New sources of revenue must be found. S. 859 would place the major burden of obtaining additional revenues to support the proposed expanded recreational programs on the users of outdoor recreation facilities.

As I have indicated to this committee, on more than one occasion, many of our needs can only be satisfied by collective purchases. As a result, we have the difficulty of fulfilling our needs since we cannot make many of these purchases even when we desire to do so. It is not fanciful to say that if outdoor recreation resources were available at the supermarkets, there would be more than a brisk business.

The measure before you offers the opportunity to pay for the very services that are demanded.

The measure would also meet most of the objections that are usually voiced by those that are reluctant to appropriate moneys for these kinds of expenditures. The preponderant amount will be received by the States, hence the program is moving away from the further centralized control to which objection is often given. The possible criticism of an appropriation in addition to revenues, some \$60 million a year for 8 years or a total of some \$480 million, is viewed as a method to contribute to economy and savings. One of the significant reasons that caused such a measure as S. 859 to be introduced was the very problem of meeting the rapid rise of land and real estate values. To burden this proposed recreation expansion with staying just within the limits of each year's revenue would raise the cost to the Government by an enormous amount. As a consequence, it would no doubt leave us far short in the areas that represent our goals of adequacy.

This proposal prudently authorizes funds that can achieve the acquisition and development goals within the critical time limit prescribed. Oddly enough, despite the criticism that we should be on a "pay as you go policy," because of the way our present Government accounts are established, we are generally confronted with a "pay before you go policy." Since our Government expenditures draws no distinction between expenditures for immediately consumable items and those that have a durable quality over many years, the payment immediately, for land or development of such land, causes payment to be made many many years before the commodity is consumed. Few businesses could grow and prosper if all capital expenditures had to be paid in full at the time of acquisition.

The sources of revenue to finance the land and water conservation fund are to be provided by entrance and user fees, surplus property sales, and the refundable portion of the special motor fuels and gasoline used in motorboats. It is estimated that these additional taxes and assessments will approximate \$7 million from users' fees and \$50 million from entrance or car admission stickers; \$30 million from fuel taxes; and \$60 million from the sale of surplus property. In all probability, all of these items being both a function of population and recreational activities will increase. These revenues will be placed in a separate account called the land and water conservation fund and miscellaneous receipts. The President will have the authority to determine how the land and water conservation fund will divide the moneys with the miscellaneous receipts, the latter is to be used to offset the cost of additional lands at Federal water development projects or public recreation and where fish and wildlife enhancement are involved.

Since the advance appropriations will not be needed until the third fiscal year, \$60 million will be appropriated for 8 years and made available for the purposes of the act in addition to the revenues re-

ceived. At the end of 10 years, the \$480 million authorized will be repaid to the general fund of the Treasury at a rate of 50 percent of the revenues received by the fund each year after the 10 years from the inception of the act until full restitution is made to the Treasury.

The States will receive 60 percent of the funds authorized on a grant-in-aid basis in accordance with the formula of one-fifth equally proportioned among the States, three-fifths apportioned on the basis of the proportion the population of each State bears to the population of the United States, and one-fifth shall be allocated by the Secretary on the basis of need. If, after 3 fiscal years, the States have not qualified for the grants, the Secretary is authorized to re-apportion that amount on the basis of need. The purposes for which the States will receive these grants will be planning, acquisition of land, and water or interests therein or development. In no case will the Federal Government pay more than 50 percent of the cost of planning nor more than 30 percent of the cost of acquisition or development. Development is further restricted in that such grants cannot exceed 10 percent of the amount appropriated for each of the 10 years. A State plan must be generally satisfactory to the Secretary before disbursement of funds can be made.

The allocation of funds for Federal purposes, or the remaining 40 percent of the total funds available, will be made on the basis of relative needs for acquisition in national park systems, the national forest system, for incidental recreation at wildlife refuges, and for the purpose of preserving species of fish and wildlife that are threatened with extinction. In all cases, the acquisition for any of the said areas mentioned must be authorized by law. No expenditures can be made from the fund for acquiring of additional lands at Federal water development projects for public recreation and fish and wildlife enhancement, when these projects are financed through projects appropriations to water resources agencies.

We have only one matter of concern with the proposed legislation. We doubt that the bill should restrain development and acquisition by providing only 30 percent Federal payment. By the same token, the further restraint of Federal grants to only 10 percent for development of the amount appropriated for each of the 10 years appears too drastic when many areas of the West are considered. Much of the land is available but money for development is required. In short, we would hope a flat 50-50 matching provision would be approved irrespective of whether the State needs were development, acquisition, and/or planning.

Mr. Chairman, our efforts to highlight the major provisions of this very important conservation measure indicates to us that S. 859 has every prospect to meet successfully the needs of this country for outdoor recreation resources. It is the hope of our organization that this legislation will be favorably acted upon by this committee at an early date and will shortly thereafter be signed into law by the President. In the lexicon of the perhaps most dramatic efforts of our country, this should constitute a major breakthrough in outdoor recreation for all of the people.

Senator MCGOVERN. Thank you, Mr. Smith.

Is Mr. Stroud here?

STATEMENT OF RICHARD H. STROUD, EXECUTIVE VICE PRESIDENT, SPORT FISHING INSTITUTE, WASHINGTON, D.C.

Mr. STROUD. Mr. Chairman, I wonder if I might submit some simple tabular terms here to be added to my previously prepared statement, as I think it might serve to be of benefit to the committee in illustrating one of the points that we should make.

Senator McGOVERN. Without objection it will be so printed in the hearings.

Mr. STROUD. My statement is a brief one, and I think I can get through it rather rapidly, Mr. Chairman.

Mr. Chairman, and member of the committee, I am Richard H. Stroud, executive vice president, Sport Fishing Institute, Washington, D.C.

I am pleased to have this opportunity to express the institute views on S. 859, to establish a land and water conservation fund, and for other purposes related thereto.

We concur in and support the broad objective of the proposals embodied in the bill, but we believe that some important changes are needed to strengthen the role of the States in the program that is envisioned.

The changes we will recommend are designed to assure that the States will have the opportunity to play the pivotal role in providing for present and future outdoor recreation needs.

This objective was recommended by the Outdoor Recreation Resources Review Commission in its monumental report to the President and to the Congress, entitled "Outdoor Recreation for America."

It was endorsed by the President in his letter to the President of the Senate transmitting the proposal now under consideration as S. 859.

Mr. Chairman, my organization endorses the broad objectives of the proposed legislation. It also specifically endorses the principle of entrance and user fees at Federal areas where outdoor recreationists are the direct beneficiaries of improvements to these areas that make the recreational opportunities more available or otherwise significantly enhance them.

What is proposed is an auto sticker good for a year for entrance of that vehicle to all Federal areas for recreation purposes. For those being used solely for through passage no sticker would be required.

What would this mean, for example, to anglers fishing Federal reservoirs?

It would mean an average cost per day of fishing amounting only to the price of a small bag of peanuts per auto-riding angler.

This is based on the finding in the "1960 National Survey of Fishing and Hunting" (Fish and Wildlife Circular 120) that the Nation's anglers average about 18.4 days per year out fishing.

Also, many State and Federal agency fishing censuses conducted over many years have established an average of 2.5 (generally either two or three in practice) anglers go together in a single car for a day's fishing trip.

It is interesting to note, further, the national survey determined that 84 percent of all anglers used cars in 1960 to reach their fishing waters.

Thus, in the case of a \$5 auto sticker, the average per angler-day cost to auto-riding fishermen can be calculated as follows: 18.4 days per angler per year times 2.5 anglers per car per trip equals 46 angler-car days.

If the annual fee for the sticker is \$5, then \$5 divided by 46 equals about 11 cents per angler-day prorated expense.

If the annual fee for the sticker is \$3, then \$3 divided by 46 equals about 7 cents per angler-day of prorated expense.

We also endorse the rededication of the existing 4 cents of Federal tax on each gallon of marine fuel used for pleasure boating to this purpose as proposed.

About 80 percent of all boating is carried on as a principal means to the fifth most popular form of outdoor recreation, namely sport fishing.

We regard this is a wholly appropriate use of those tax moneys and believe that the general program envisioned justifies that use in terms of the nature of those paying it, the kind of activities generating it, and the needs for facilities that will be met partially as a result.

We also believe that the utilization of proceeds from the sale of surplus Federal real property for this purpose is wholly appropriate.

It seems to us that this legislative proposal offers a potential breakthrough of major proportion for fish and game conservation and associated recreational fishing and hunting.

It is necessarily geared to water facilities acquisition and development in very large measure.

It would serve to loosen significantly the stringent bonds of funding that have shackled important conservation programs closely to fishing and hunting license revenues—vitaly necessary means of financing that need broadening to meet modern requirements and demands.

It would provide the vehicle, it seems to us, for fish and wildlife program needs to become recognized in proper perspective alongside other interests and go far toward assuring their full consideration in planning of all developments affecting natural resources—a longtime major goal of conservationists.

The bill requires study to determine if the overall Federal share is excessive.

Why not limit it to not more than 40 percent of the revenues, however allocated? It should be carefully considered whether the proposed matching ratio for acquisition and development grants to States—30 percent Federal, 70 percent State—should be less than that for planning grants (50-50).

Why not 75 Federal and 25 State as with the Federal aid to fish (Dingell-Johnson) and wildlife (Pittman-Robertson) programs?

Why should outdoor recreation be geared to the discouraging Federal Housing and Home Finance Agency matching grant formula?

The latter has proved sufficiently inadequate that proposals to increase the FHHA formula to at least 50-50 are now before the Congress.

It should also be considered whether the 10-percent limitation on development expenditures for the first 10 years is too restrictive. It seems to us that a liberalization of this provision might also be bene-

ficial in many instances. The requirement to have an approved State plan seems adequate to assure a proper balance, yet provide flexibility.

Therefore, our recommendation is to recommend passage of the bill with the following changes:

1. In section 3, with respect to the division of the revenues in the separate Treasury account between miscellaneous receipts and the land and water conservation fund provide that no more than 40 percent of the total revenues may be allocated to Federal purposes however distributed between miscellaneous receipts and Federal agencies through the fund.

2. In section 5(c) liberalize the matching formula for grants-in-aid to the States for land acquisition and development to at least equal the planning grant matching formula (50-50), preferably 75 percent Federal, 25 percent State.

3. In section 5(c) delete the provision that limits the use of program grant funds by the States for development to a maximum of 10 percent during the first 10 years.

(The tabular data referred to above is as follows:)

Proportion of total revenues in Treasury "separate account" ultimately accruing under proposed formula in S. 859 to Federal purposes and to States following various transfers to "Miscellaneous receipts" and 55 percent allocation to Federal agencies and 45 percent allocation to States from the land and water conservation fund.

[In percent]

	Additional to Federal agencies due to allocation from land and water conservation fund	Remaining for States out of total revenues
Transfer to miscellaneous receipts for Federal purpose		
0.....	55	45
10.....	49½	40½
25.....	41¼	33¾
50.....	27½	22½

Proportion of total revenues in Treasury "separate account" ultimately accruing under proposed formula in S. 859 to Federal purposes and to States following various transfers to "Miscellaneous receipts" and 40 percent allocation to Federal agencies and 60 percent allocation to States from the land and water conservation fund.

[In percent]

	Additional to Federal agencies due to allocation from land and water conservation fund	Remaining for States out of total revenues
Transfer to miscellaneous receipts for Federal purpose		
0.....	40	60
10.....	36	54
25.....	30	45
50.....	20	30

Proportion of total revenues in Treasury "separate account" ultimately accruing under proposed formula in S. 859 to Federal purposes and to States following various transfers to miscellaneous receipts and 25-percent allocation

to Federal agencies and 75-percent allocation to States from the land and water conservation fund.

[In percent

Transfer to miscellaneous receipts for Federal purpose	Additional to Federal agencies due to allocation from land and water conservation fund	Remaining for States out of total revenues
0.....	25	75
10.....	22 $\frac{2}{3}$ %	67 $\frac{1}{3}$ %
25.....	18 $\frac{3}{4}$ %	56 $\frac{1}{4}$ %
50.....	12 $\frac{1}{2}$ %	37 $\frac{1}{2}$ %

Mr. STROUD. In the interest of further information, I think these tables show how the States might ultimately fare under the various divisions of total revenue accruing to the special account as between miscellaneous receipts and the water conservation funds with respect to several degrees of allocation out of the latter to the Federal and State agencies.

It would appear to me that this lends strong support to our proposal that there be a limitation that no more than 40 percent of the total revenues may be allocated for Federal purposes in toto.

Thank you very much.

Senator MCGOVERN. Thank you, Mr. Stroud.

We appreciate your statement. And I am sure the committee will give thoughtful consideration to the suggested changes which you have submitted.

Senator SIMPSON.

Mr. Stroud, I am struck always in the statements of those who are in accord with the provisions of this bill by the similarity of the request for changes, and then I am struck by the willingness of the proponents to foreclose themselves of those advantages by saying, "But if they don't incorporate them, we are for the bill anyhow."

Are you one of that same stripe?

Mr. STROUD. I think that I would have to say that the bill would be much preferable, in our view, if these changes we propose were made.

But we do feel that the problem is of such a nature that perhaps the bill as it is would be at least a substantive step in the right direction, and would begin to meet the problem.

I think it is serious enough so that we make a start at least, and would hope that the bill might be improved in the direction you have indicated.

Senator SIMPSON. That attitude rather disturbs me, it is like saying, "Let the tail go with the hide," and the Department of Interior having dealt with land owned by the Government for some years, I know that with that conjunction you won't get any such amendment, because it is like the case of Ulysses S. Grant selling a cow.

His father sent Ulysses Grant down to Missouri to sell a cow, and he said, if you can't get a hundred dollars, get \$75.

And Ulysses went down and he met a buyer. The buyer asked, "How much will you take"?

Ulysses said, "I will take \$100, but if I can't get it I will take \$75."
So naturally he got \$75.

And it seems to me that is the same attitude here, and it disturbs me. Because your requests are laudable, and your recommendations are good, they are almost uniform in their application, and some of you have the same idea, and yet you are willing to forsake them.

And I don't think you should.

Mr. STROUD. We are counting on the members of the committee, at least we are hoping that the members of the committee will see justice in these recommendations and effect amendments in the bill.

Senator SIMPSON. I notice you point out the recommendations of the 3R committee with respect to the emphasis being on State supervision.

Mr. STROUD. Yes, sir.

Senator SIMPSON. And I am in accord with that. It is very important to us in the West.

In the State of Wyoming a number of years ago we had no deer and no antelope to speak of.

Today we harvest 55,000 head of deer, 55,000 head of antelope, and about 10,000 head of elk and we can do that continuously every year, because by sound conservation efforts the State of Wyoming has built up a tremendous interest in wildlife preservation.

And yet you recognize in this same report that goes on, page 121:

The Bureau arrogates to itself the so-called supervisory powers and disregards the former recommendations of the committee with respect to the States in the pivotal position.

You are in favor of the State position, are you not?

Mr. STROUD. Yes, I am, sir.

And I think that your point is an interesting one, and it bears on the experience that we have had with other Federal programs.

And I think our experience had been very good, particularly with the PR program which has been a big factor in the development of the fine hunting you have cited for your State, sir.

And it has been crucial in our opinion in the development of sound fish conservation programs in many of the States throughout the country through the medium of the DJ program.

Now, we are not ones that fear this supervision by the Federal agencies in this regard.

I was a former DJ coordinator in an eastern State, not a western State, but an eastern State, where we had many problems.

From my own experience I can certainly testify that this Federal aid program was a major factor in developing a modern, highly regarded fish conservation program.

Senator SIMPSON. Under the flexible authority of the State.

Mr. STROUD. Yes, it did.

I don't quite see where we are going to lose this under this bill, as you seem to believe.

Perhaps I am wrong, perhaps I have missed something, but I do not see that here in the bill.

Senator SIMPSON. Well, we just differ on that. I happen to find out through it, and that disturbs me.

Thank you very much.

That is all, Mr. Chairman.

Senator MCGOVERN. Thank you, Mr. Stroud, for your statement. Mr. Ray Butler, the executive director of the American Recreation Society, is next.

STATEMENT OF RAY R. BUTLER FOR THE AMERICAN RECREATION SOCIETY, INC.

Mr. BUTLER. I am Ray R. Butler, executive director of the American Recreation Society. This society is the national professional organization for over 4,000 recreation workers who are professionally engaged in providing recreation services of various kinds in public, private, and voluntary agencies and institutions throughout the United States and with our military forces and Red Cross groups overseas. Members of our society are naturally interested in all facets of healthful recreation and its importance in the leisure of our people. We were gratified with the work done by the Outdoor Recreation Resources Review Commission and we, by resolution on record, have supported that Commission's recommendations because we agree that we used to assure "the availability and accessibility of land and water based outdoor recreation opportunities of such quality and quantity as are necessary and desirable for the benefit and enjoyment of the people" through the authority of our Bureau of Outdoor Recreation together with the establishment and programing of a land and water conservation fund as outlined in S. 859.

The system of acquiring revenues, as outlined in the bill, is reasonable because it gives all Americans a basic responsibility for this conservation program when revenues from sales of surplus properties are involved. It also provides, logically, for the "user" to underwrite added costs by the charging of entrance fees and motorboat fuels tax. The average American will not object to these small fees and charges—particularly if it means conserving and regaining outdoor recreation resources nearer their homes which for most means the more heavily populated urban centers.

Because States and their governmental subdivisions need financial assistance in planning, acquisition, and development, it is proper to set a "matching requirements" system and to have a mixed formula for apportionment among the States as cited in this bill.

It is necessary to secure advance appropriations in the yearly average amounts indicated, as a minimum; the repayment schedule makes sense too. Time is of the essence as our near metropolitan natural resources are being lost or encroached upon at an alarming rate and land costs are rising rapidly. We must plan for and acquire areas immediately even though development may take longer periods of time.

We support this legislation and are particularly interested in the fact that it will help States without disturbing present State revenue-producing programs. We encourage a favorable report by the Senate Committee on Interior and Insular Affairs, passage on the floor of the Senate and enactment as a public law just as quickly as possible.

Senator MCGOVERN. Thank you very much, Mr. Butler.

Our next witness is Michael Nadel, assistant director of the Wilderness Society.

**STATEMENT BY MICHAEL NADEL, ASSISTANT DIRECTOR OF THE
WILDERNESS SOCIETY**

Mr. NADEL. I am Michael Nadel, assistant executive director of the Wilderness Society. The Wilderness Society, founded in 1935 as a national, not-for-profit philanthropic conservation organization, has its headquarters in Washington, D.C. Our present membership, which is in excess of 22,000, is drawn from all our States, and from all walks of life. We also have members in other countries.

I appreciate the privilege of being here, in cooperation with our conservation colleagues, in support of the principles of S. 859, which proposes the establishment of a land and water conservation fund to assist the State and Federal agencies in meeting present and future outdoor recreational demands.

It is broadly recognized that open space and recreational opportunities are bound to be critically circumscribed in the path of a development-minded civilization. Bold measures are needed not only to preserve present opportunities, but to fulfill the needs of the future. The measures needed to make this possible are beyond the reach of the States alone, and thus this becomes a responsibility which the States and the Federal Government can meet cooperatively.

Our needs include high-density recreation areas, but they also include parks, primitive areas, nature reserves, and historic and cultural sites. Our outdoor recreation reserve should include prairie, marsh, mountain, meadow, and seashore. It should include lakes, and clear fresh streams, and riverways.

We especially urge that in the broad program which would be funded through this measure, consideration be given to policies in planning which will give practical weight to qualitative values.

Thank you.

Senator McGOVERN. Thank you, Mr. Nadel. Is Mr. Clapper here? Mr. Clapper, we will be glad to have your statement at this time.

**STATEMENT OF LOUIS S. CLAPPER, NATIONAL WILDLIFE
FEDERATION**

Mr. CLAPPER. Mr. Chairman, I, too, have a brief statement that I would like to summarize and have introduced, and then just merely read the last portion with some changes, if possible.

Senator McGOVERN. We will be glad to include your prepared statement as part of the record.

(The statement referred to is as follows:)

STATEMENT OF LOUIS S. CLAPPER, NATIONAL WILDLIFE FEDERATION

Mr. Chairman, I am Louis S. Clapper, chief of the Division of Conservation Education, National Wildlife Federation. By way of identification, the National Wildlife Federation is a private organization dedicated to the attainment of conservation goals through educational means.

The federation is composed of affiliates in all 50 States and the District of Columbia. These affiliates and other supporters of the National Wildlife Federation number an estimated 2 million persons.

Our organization met in annual convention at Detroit, Mich., last week and adopted a list of major conservation issues to which public attention is invited. Heading the list was the need for providing public outdoor recreational opportunities. The following statement of policy was adopted:

"The National Wildlife Federation endorses in principle the establishment of a Bureau of Outdoor Recreation within the Department of the Interior, with congressional authority and responsibility designated, and with a land and water conservation fund to be administered by the Bureau of Outdoor Recreation, Department of the Interior; said fund to be financed by reasonable fees for development and maintenance of public lands, surplus property sales, and marine fuel taxes, and providing for allocations to both State and Federal agencies."

The foregoing, Mr. Chairman, indicates the importance which we attach to this program. The ORRRC report, developed after extensive study, recommended cooperative efforts by Federal and State and local governments and by private enterprise to provide outdoor recreational opportunities for an increasing human population. There is no question that Federal and State agencies urgently need funds for accelerated planning, and for acquisition and development of suitable land and water areas before the opportunities are lost.

Generally speaking, recreationists have been willing to "pay their way." This is particularly true of hunters and fishermen, who buy licenses and permits to finance State wildlife conservation programs. We are confident that recreationists will support the land and water fund conservation proposals, especially after its benefits become clarified and publicized.

We, therefore, favor the basic principles in the proposal, S. 859, before the committee today. We also believe, however, it can be improved.

Section 3 gives the President broad authority to determine what amounts of income are to be credited to the miscellaneous receipts of the Treasury. This authority probably is too broad and a ratio should be specified. This ratio of the total income then should be taken from the Federal share of funds since the moneys are to be used "to help offset the cost of additional lands at Federal and federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water resource agencies." We suggest the committee make it clear in its report that the funds would be used for "enhancement," with the mitigation of wildlife losses still to be financed as parts of the construction projects.

If the States are to play a pivotal role in providing present and future outdoor recreation needs, as recommended by ORRRC and the President, the land and water conservation fund must be an important stimulant. Most State wildlife agencies, however, are financed principally by hunting and fishing license fees and they would be hard pressed to provide the 70-percent matching funds for acquisition and development as contemplated in section 5(c). Other State agencies concerned would have similar problems, so we recommend the Federal share of matching funds be established at 75 percent.

Subsection (e) (2) of section 5 also contains a provision that, during the first 10 years of the program, funds for development projects shall not exceed 10 percent of the amounts appropriated for State purposes. While we are in sympathy with the urgent need for acquisition, this limitation on development fails to meet problems in the West where large tracts already are in Federal or State ownership. We see no need for this limitation and suggest the determination be left discretionary with the Secretary.

Maintenance and operation of recreational facilities on State properties acquired and developed under the program would be responsibilities of the State or local agencies, according to this proposal. Again, Mr. Chairman, we believe that some States will have difficulty in meeting these obligations. Initially, of course, there would be no need for maintenance and operation but, in future years after the facilities are purchased and developed, these can become important items of expense. It is suggested that provision be made for States to use limited portions of their allocations for maintenance and operation if, in the opinion of the Secretary, such a procedure is necessary and desirable.

In conclusion, Mr. Chairman, we hope the committee will consider these changes and give early approval to the proposal.

Thank you for the opportunity of making these observations.

Mr. CLAPPER. We stated that we favor this proposal.

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This authority probably is too broad and a ratio should be specified. This ratio of the total income then should be taken from the Federal share of funds since the moneys are to be used—

to help offset the cost of additional lands at Federal and federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water-resource agencies.

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We see no need for this limitation and suggest the determination be left discretionary with the Secretary.

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Initially, of course, there would be no need for maintenance and operation but, in future years after the facilities are purchased and developed, these can become important items of expense.

It is suggested that provision be made for States to use limited portions of their allocations for maintenance and operation if, in the opinion of the Secretary, such a procedure is necessary and desirable.

In conclusion, Mr. Chairman, we hope the committee will consider these changes and give early approval to the proposal.

Thank you for this opportunity.

Senator McGOVERN. Thank you, Mr. Clapper.

Is the statement that you read the same statement you are asking that we include as your prepared statement?

Mr. CLAPPER. Yes, sir.

The first page is largely indicating how we come to the conclusion we support this.

Senator McGOVERN. Will you leave a copy of your remarks with the clerk?

Senator Simpson.

Senator SIMPSON. No questions.

Senator McGOVERN. Thank you very much.

Next is Milo F. Christiansen, president of the Federation of National Professional Organizations for Recreation.

STATEMENT OF MILO F. CHRISTIANSEN, PRESIDENT, FEDERATION OF NATIONAL PROFESSIONAL ORGANIZATIONS FOR RECREATION

Mr. CHRISTIANSEN. I am Milo F. Christiansen, president of the Federation of National Professional Organizations for Recreation, and Superintendent of Recreation in Washington, D.C. I represent 11 organizations which are members of the federation. These organizations are composed of persons who are gainfully employed in park and recreation fields and consists of administrators, supervisors, and leaders in State and municipal park and recreation systems, in colleges and universities, in camps and in private voluntary agencies. Laymen are also represented in some of the member associations.

The Outdoor Recreation Resources Review Commission report has very dramatically emphasized the critical need for additional outdoor recreation areas. There is no need to review these facts. They are evident to all. Our purpose here today is to urge legislation which will aid the implementation of this report.

In simple terms this bill has two major purposes. First, it encourages the various States to devise a comprehensive plan for the acquisition and development of outdoor recreation resources. If the bill accomplished no more, we would be in favor of it. Its second purpose is to provide Federal assistance to the States in implementing their plans and to secure funds for Federal acquisition of certain land and water areas. These two purposes are accomplished by authorizing entrance and user fees at Federal recreation areas, the diversion of other income to a special account, and the distribution of these funds among the States and the Federal Establishment.

In our judgment this method of obtaining funds is legitimate and fair. It asks the users, the ones who directly benefit from outdoor recreation resources, to share the costs of their acquisition and development. Thus, when the program is in full operation it will be a pay-as-you-go venture and the burden on the Nation's tax structure will be relieved.

The enactment of this bill will be a milestone on the critical journey toward the preservation and enlargement of our great natural heritage. As our citizens crowd closer together in cities and metropolitan areas it becomes even more necessary to find measures of escape from the bulldozer of modern living, a haven where we may relax, refresh our spirits and admire the manifest greatness of our land and waters.

We urge your favorable consideration of this bill.

Members of the Federation of National Professional Organizations for Recreation are as follows:

- American Association for Health, Physical Education, and Recreation.
- American Camping Association.
- American Institute of Park Executives.
- American Recreation Society.
- Association of College Unions.
- National Association of Social Workers.
- National Conference on State Parks.
- National Industrial Recreation Association.

Society of State Directors of Health, Physical Education, and Recreation.

Consultants:

National Recreation Association.

The Athletic Institute.

Senator McGOVERN. Is Dr. Thompson here?

(No response.)

Senator McGOVERN. Is Mr. Tilden here?

**STATEMENT OF NANCY MACHLER, ON BEHALF OF PAUL M. TILDEN,
ASSISTANT TO THE EXECUTIVE SECRETARY, NATIONAL PARKS
ASSOCIATION**

Miss MACHLER. Mr. Tilden is not here, but I am going to read the statement for him.

Senator McGOVERN. We would be glad to have the statement.

Miss MACHLER. I have a short prepared statement which I will read for Mr. Tilden.

Senator McGOVERN. Would you tell us your name and your relationship to him?

Miss MACHLER. Yes. That will begin the statement.

My name is Nancy Machler. I am research secretary of the National Parks Association, a private nonprofit educational and scientific organization with offices at 1300 New Hampshire Avenue NW., Washington, D.C., and of the association's monthly National Parks magazine, received by more than 26,000 members throughout the Nation.

I appreciate the invitation to testify regarding S. 859, providing for the establishment of a land and water conservation fund.

Among the major purposes of the association, which was established in 1919 by Stephen T. Mather, first Director of the National Park Service, is the protection of the national parks and monuments, the national forests and nature preserves generally, for esthetic, scientific, educational, and recreational purposes.

The association is deeply interested, too, in the establishment and preservation of sufficient open spaces and recreational areas—both in and around our cities and in the country—as will provide the Nation's population with needed outdoor recreation and good outdoor living.

The rapid growth of our population, which has been accompanied by an equal increase in leisure time and travel facility, has rapidly compounded the public need for physical relaxation and recreation in an ever-shrinking out-of-doors.

Even today our existing park and forest recreation facilities—State and National both—are experiencing serious overcrowding.

If the statistical information, plus the evidence daily before our eyes, is not misleading, we shall need to acquire in the rather near future recreational lands and resources commensurate with coming needs.

S. 859, a bill to provide for the establishment of a land and water conservation fund under which needed areas might be soon acquired, appears to be a logical step toward the solution of the "growth-versus-available space" dilemma while it is still capable of a reasonable solution.

The fundraising provisions of the bill seem to be fair ones which would in large measure place the burden of land and resource acquisi-

tion on the shoulders of those who would benefit to the greatest extent from public acquisition of new land.

One of the problems of paramount importance facing the Federal Government in respect to the national parks and monuments and the national forests is the acquisition of the privately owned lands, vast in sum total, which lie within the boundaries of these areas; also of prime importance is the rounding out of the Federal system of parts and monuments through acquisition of new lands.

Because of the great need for a vigorous Federal land acquisition program, there will be much to be said for confining the use of this fund to such purposes, and dropping the grants to the States. It would be a relatively easy thing to obtain year to year appropriations from the General Treasury for such grants. The original land and water conservation fund proposals look toward Federal acquisition only.

If State grants are to be made, they should not be unduly large; the division in terms of 60 percent for State purposes and 40 percent for Federal appears to be excessive; the more so because an additional 15 percent could be added to the State share. Whatever else is to be said, these proportions going to the States should certainly not be enlarged.

There is another feature of the bill which is much more objectionable; namely, section 3, subsection (b), providing for a miscellaneous receipts fund for offsetting the cost of land acquisition of Federal and federally assisted water development projects, financed through project appropriations to water resource agencies.

On the basis of the strict language of section 3, the President could apportion the vast majority of the moneys collected under this bill to this miscellaneous receipts fund; this would defeat the primary purpose of the legislation, which should be the rounding out of the national forests, national parks, and wildlife refuges.

It is desirable to acquire recreation areas around large multiple-purpose reservoirs if such reservoirs must be built; it is undesirable to build them for recreational purposes. Yet the recreational purposes are now included in the benefits for calculation of the cost-benefit ratio. This tends to become a device for promoting big-dam construction where other excuses are inadequate.

In such cases the authorizing legislation normally provides for project appropriations, which are then made in the due course of the appropriation of Federal funds. The present legislation would tap the land and water fund revenues for these so-called recreational areas. This is objectionable, and would be destructive to the primary purposes of the proposal.

The provisions for inclusion of motorboat gasoline taxes are well considered as far as they go. There is much to be said for the reinstatement of the earlier idea of a user fee for motorboats. Loud and noisy motorboating is becoming a serious problem on the waters of the national park system. If the State and Federal Governments are going to have to police these developments, this form of recreation should at least pay its own way.

That is the end of my prepared statement, and I feel that I should say at this point, while I may be able to clarify some of the points in the statement, I do not feel that I can answer any policy questions,

and if you have any to address to Mr. Smith I am sure he would be happy to answer them through the mail.

Senator McGOVERN. Thank you very much for your statement.

I am afraid we did not catch your name.

Miss MACHLER. Miss Nancy Machler.

Senator McGOVERN. Well, we appreciate having your statement, Miss Machler.

Do you have any questions, Senator Simpson?

Senator SIMPSON. No, I have none, Mr. Chairman.

Senator McGOVERN. Thank you very much.

Miss MACHLER. You are welcome, Mr. Chairman.

Senator McGOVERN. Is there anyone else who would like to be heard on this legislation?

If not, that closes our hearings.

Senator SIMPSON. Mr. Chairman, for the record, may I suggest that if there are telegrams that come in, that we can insert them in the record of the hearing?

Senator McGOVERN. Without objection, it is permissible to do that.

Senator SIMPSON. Thank you very much.

(Whereupon, at 3:25 p.m., the hearing was adjourned.)

(Pursuant to the previous direction of the chairman the following letters, telegrams, and communications are included in the record:)

COMMUNICATIONS FROM STATES

ALABAMA

MONTGOMERY, ALA., April 11, 1963.

Senator HENRY M. JACKSON,

Chairman, Senate Committee on Interior and Insular Affairs, Washington, D.C.:

We urge your support of S. 859, land conservation fund bill.

CHARLES D. STAPP,

*Supervisor, Health, Physical Education, and Recreation,
Alabama State Department of Education.*

ALASKA

STATE OF ALASKA,

Juneau, February 28, 1963.

Hon. ERNEST GRUENING,

U.S. Senator, Washington, D.C.

DEAR ERNEST: President Kennedy recently transmitted to the Congress a proposal for the establishment of a land and water conservation fund designed to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people.

The purposes of this bill are excellent. There is no denying the intense need, both immediate and long range, for additional outlets for outdoor recreation in nearly every area of the United States.

This need is evident even in Alaska, where our vast and varied natural endowments provide the basis for wide outdoor recreational activity. It is estimated that the facilities of the State's 63 roadside camps alone were used by more than 500,000 persons during calendar 1962—equivalent roughly to twice Alaska's total population.

I am, therefore, firmly in accord with the purposes of President Kennedy's proposal. At the same time, however, a review of its provisions raises certain questions concerning its applicability to Alaska and the extent to which it would contribute to meeting the need which exists in Alaska.

For example, section 5(e)(2) contains a proviso "that the total grants to States for development projects shall not, during the first 10 full fiscal years

in which the fund has been in operation, exceed 10 percent of amounts appropriated for each of said 10 years for State purposes pursuant to section 5." While I do so interpret it, the Bureau of Outdoor Recreation, Department of the Interior, stated in a news release of February 15, 1963, that "no more than 10 percent of the amount available to a State in any one year could be used for development projects."

As you are aware, the problem facing Alaska is one of development rather than land acquisition which can be accomplished effectively under our statehood land grant. If the 10-percent limitation is applicable to the grant of each State, as indicated by the Bureau's new release, it would appear to remove Alaska effectively from deriving any benefit under the act.

I am also concerned by the proposal to finance this program in part with the proceeds from sale of an annual conservation car sticker to be required of any car entering Federal areas when the occupants plan to engage in outdoor recreation. Informational material emanating from the Bureau has indicated a possible \$5 charge for this sticker.

In view of the vast Federal land holdings in Alaska, the imposition of such a fee would be tantamount to levying an assessment against every family in Alaska as well as border on the undesirable practice of requiring, in effect, two licenses for every hunter and fisherman.

An additional major concern has to do with the formula under which the funds would be apportioned among the several States; in particular, that portion which provides the three-fifths of the funds to be allocated to the States would be apportioned on the basis of population.

It would be my hope that the Congress would see fit to give consideration to the recommendation of the Outdoor Recreation Resources Review Commission that the apportionment be made on the basis of population and area, with equal weight given to each factor.

The President's proposal is designed to provide the groundwork for meeting future as well as present needs for outdoor recreation. While it may be concluded that the more thickly populated States have a more pressing current need, it can be contended with equal logic that the greater the area of a State the greater is its opportunity to provide a desirable variety and multiplicity of outdoor recreational areas.

An apportionment overweighted by the population factor ignores the fact that people are not interested in having their recreation in a crowded area. They go away from crowded areas, and it is in these uncrowded portions of our Nation, such as Alaska, that there exists the greatest potential.

Certainly this is the case in Alaska where there is already evidence to show that our State is being looked upon more and more by the residents of other States and even other countries as an outlet for recreational needs.

The views here expressed represent a composite of the comments received upon review of the legislation by the department of fish and game, the department of natural resources, and this office, and are sent with the thought that they might be of assistance to you during congressional consideration of this measure.

Kindest regards,
Sincerely,

WILLIAM A. EGAN, *Governor.*

ARKANSAS

STATE OF ARKANSAS,
Little Rock, April 8, 1963.

HON. STEWART L. UDALL,
Office of the Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: This will acknowledge your correspondence in reference to the proposed establishment of a land and water conservation fund to assist the State and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

This seems to be a very worthwhile step forward, and I will certainly advise the members of the Arkansas congressional delegation that this legislation meets with my approval.

Most sincerely,

ORVAL E. FAUBUS, *Governor.*

ARIZONA

PHOENIX, ARIZ., March 6, 1963.

Senator CLINTON P. ANDERSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Senated Office Building, Washington, D.C.:

At the hearing before your committee on S. 859 I wish to state our department supports general provision and objective but strongly recommends amendments to provide total allocations to Federal Government shall not exceed 40 percent of all revenues. Matching formula of 75 percent to 25 percent similar to long-established Federal aid to fish and wildlife programs. No limitation for development. Maintenance allowance not to exceed 25 percent. Also recommend public hearings on user fee and thereafter establish such fee by congressional act. Thank you.

R. J. SMITH,
Director, Arizona Game and Fish Department.

CALIFORNIA

SACRAMENTO, CALIF., March 6, 1963.

Hon. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.:

I wish to express my support of S. 859, the land and water conservation fund bill as being an excellent means to accomplish the acquisition and development of adequate lands for outdoor recreational uses.

EDMUND G. BROWN, *Governor.*

THE RESOURCES AGENCY OF CALIFORNIA,
Sacramento, April 10, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR: The Resources Agency of California, which includes the departments of fish and game, parks and recreation, water resources, and conservation, supports S. 859 and H.R. 3846, the land and water conservation fund bills, in principle.

We suggest, however, that the following amendments be incorporated:

1. Increase the Federal contribution to State projects to at least 50 percent, or even 75 percent. We feel that the matching fund provisions in the present bills provide for too little Federal participation, and hence would cause an undue burden to the States.

The 75-percent formula is the one that is used in the Federal aid in wildlife restoration program (Pittman-Robertson) and Federal aid in fish restoration program (Dingell-Johnson). These wildlife and fish programs have been extremely successful and have received a wide acceptance.

In view of the fact that the benefits of these recreation programs would be available to and used by citizens of all the States, we feel that this more generous Federal allocation is called for.

2. Relax the 10 percent limitation on development to allow expenditure of the entire fund by States for either acquisition or development. There would be an advantage of allowing this program to tie in with the Federal accelerated public works program on similar efforts.

We feel that this restriction on development is unrealistic. Land, once acquired for these purposes, must be developed as rapidly as possible. The public who pays the user fees will not tolerate the removal of lands from the tax rolls only to let this land lie idle and not be placed in such a condition that they can get full benefits.

3. Allow Federal assistance for maintenance of State projects. This would be consistent with provisions of the Pittman-Robertson and Dingell-Johnson programs.

Possibly, for the present, the States can assume this maintenance load; however, the maintenance burden on these areas will become increasingly severe as time goes on. In the case of waterfowl management areas purchased and developed with Pittman-Robertson funds, our experience indicates that the maintenance burden can amount to as much as 10 percent of the capital outlay cost per year. This means that any operating agency can expect to spend over a 10-year period an amount equal to the original outlay.

4. After studying the Bureau of Outdoor Recreation review of the bill, we recommend that the total amount to be available for Federal purposes should be limited to no more than one-half of the total amounts authorized under this act. The latitude presently allowed for allocation to miscellaneous receipts and for adjustment of allocations to the Federal Government and the States, could combine to reduce the States' share below half of the amounts to be authorized under this act.

5. We had previously indicated to Senator Kuchel and Senator Engle that public hearings should be provided for by Congress or the Recreation Advisory Council before establishing the user fees. After studying the Bureau of Outdoor Recreation review, we find that that agency believes user fees should be limited to developed recreational areas. We concur and recommend that the bill be so amended.

As you know, there are at present objections from many of the Western States concerning user fees for public lands in general. A great deal of public education would be necessary before such a program would be accepted.

In suggesting these amendments we wish to convey to you that we support these bills in principle. As a matter of fact, we feel that the needs expressed in these bills are great, and that forward-looking steps are necessary if we are to meet them. However, we do feel that if the program is to be workable in enlisting State cooperation, and if the States are to assume the maintenance load on these projects, more realistic Federal-State matching formulas should be considered.

Sincerely yours,

HUGO FISHER, *Administrator.*

MARCH 15, 1963.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is to put the county supervisors of California on record as supporting S. 859. This bill is essential to meet the expanding outdoor recreation needs of the American people.

As now drafted, the bill has provisions which adequately apportion the required funds and give equitable consideration to the needs of both Federal and local governments.

At the present time, local government receives 25 percent of the National Forest moneys to help compensate for the great loss of tax revenue as a result of public ownership of large acreages. This is particularly true in California where approximately half of the land is under public ownership.

In behalf of the county supervisors of California, I therefore urge that proper provisions be retained in S. 859 to protect these revenues for local government. To modify these provisions so as to deny counties a share in this particular Federal area would cause extreme economic hardship to the counties.

Very truly yours,

WILLIAM R. MACDOUGALL,
General Counsel, County Supervisors Association of California.

COLORADO

DENVER, COLO., April 9, 1963.

Senator HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.:*

Please place in the record of your hearings on S. 859, H.R. 3846, H.R. 3864, H.R. 3871, H.R. 3882, and H.R. 3883 the support of the Colorado Game and Fish Commission and Department for Appropriations for the Bureau of Outdoor Recreation. We feel that much time and effort will have been wasted if suffi-

cient funds are not made available to put the outdoor recreation plans into effect. We also endorse the suggested changes in the Land and Water Conservation Fund Act submitted by the International Association of Game, Fish, and Conservation Commissioners and would like to add another suggestion. Under "Allocation of Moneys for Federal Purposes" we oppose extensive acquisition of "land, water, or interests in land or water," by Federal agencies. Primary responsibility for managing and administering hunting, fishing, and other outdoor recreational activities must remain with the States. The basic principles of the act are acceptable and we urge adoption by Congress.

HARRY R. WOODWARD, *Director.*

CONNECTICUT

STATE OF CONNECTICUT,
Hartford, April 8, 1963.

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: Although other commitments make it impossible for me to appear personally before your honorable committee, may I submit through you the following statement to indicate my strong support for S. 859:

Connecticut is proud of its beautiful land and waters. We have never been more concerned with the problems of protecting and developing these resources, especially in the area of outdoor recreation, than we are at present.

Just about 1 year ago, I directed the commissioner of the State department of agriculture and natural resources and the managing director of the Connecticut Development Commission to undertake a study designed to save our dwindling open spaces for the use and enjoyment of future generations and to present a program of action to achieve this objective. I quote in part from my directive to this effect:

"The urgency for planning here in Connecticut is greater than in many other States. Ours is an industrial and urban State with a high population density. Our population is expected to grow by more than a million people by 1975—a rate of increase one and one-half times the national average and double that for the rest of New England. The open spaces are filling up.

"Open spaces in and around our great population centers must be preserved for their recreational, scenic, and conservation values. We must fulfill the demand for multiple uses of our land and water—for recreation, for industry, and for homes. Enactment of the Federal open spaces program by the Congress in 1961 is recognition of the national stake in the conservation of our treasury of natural resources.

"Our fishing streams, our hunting land, our rural parks, our picnic areas, and our public beaches must be protected and expanded for the enjoyment of our growing family. The necessity of preserving open space also has fundamental economic value for the State, particularly in assuring abundant water supply and in soil and forest conservation.

"These resources, as well as the availability of outdoor recreational opportunities, are important considerations in the attraction of industry to our State."

The study to which I have referred has been undertaken and completed by that noted authority in the field, Mr. William H. Whyte. Legislation implementing the recommendations of this fine report has an excellent chance of passage at the current session of our State legislature.

We are now ready to undertake perhaps the most vital step in our program—the formulation of a comprehensive statewide outdoor recreation plan. The planning and acquisition grants proposed in the Land and Water Conservation Fund Act will be of great assistance and will be sincerely welcomed by all of us in Connecticut who are interested in achieving these worthy ends.

S. 859 would provide the impetus necessary to foster sound planning for outdoor recreation here in Connecticut and in all of the other States which are contemplating similar action. The Land and Water Conservation Act could also greatly speed up efforts toward planning for and acquiring outdoor recreation areas which are already underway. From what we have learned of the

new Bureau of Outdoor Recreation, we have confidence that this law could be administered very well indeed.

May I then urge your favorable consideration of this much-needed legislation. It could well become one of the most important pieces of conservation and recreation legislation to appear in our generation.

Sincerely,

JOHN DEMPSEY, *Governor.*

DELAWARE

STATE OF DELAWARE,
BOARD OF GAME AND FISH COMMISSIONERS,
Dover, Del., March 1, 1963.

Senator HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.*

DEAR SIR: This letter is in reference to S. 859 and H.R. 3846 (land and water conservation fund bill).

The Board of Game and Fish Commissioners of the State of Delaware wishes to go on record as approving in principle the purposes of the Land and Water Conservation Fund Act of 1963 but recommends the following changes.

1. That the apportionment of funds to the States for planning, acquisition, development, operation, and/or maintenance be on a 75-percent Federal, 25-percent States basis (amend lines 20-24, sec. 5, (c), p. 9).
2. That the development limitation be eliminated (delete beginning with word "Provided," line 23, p. 11, everything to end of (2), sec. 5, (e)).
3. That maintenance and operation of projects under the act only be permitted but not to exceed 25 percent of the amounts allocated to each State; (add new subsec. (3) under sec. 5, (e), p. 12).
4. That it be incorporated in the bill that before user fees are established the Recreation Advisory Council conduct public hearings in appropriate places throughout the country.

The above changes are the same as those recommended by the International Game, Fish and Conservation Commissioners.

Our commission feels that the proposed legislation is of extremely far-reaching importance in the research management field and hope a constructive action may be taken during this session of Congress.

Sincerely,

NORMAN G. WILDER, *Director.*

STATE OF DELAWARE,
STATE PARK COMMISSION,
Wilmington, Del., April 3, 1963.

Senator HENRY M. JACKSON,
Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: I am enclosing for your information a copy of my letter to Senators Williams and Boggs and Congressman McDowell, of Delaware, stating why I support S. 859, and suggesting some changes which in my opinion would improve the original draft.

I would welcome the opportunity to discuss in more detail the proposed legislation, if you so desire.

Yours truly,

PETER GELDOLF, Jr.,
Superintendent of State Parks.

Enclosure,

MARCH 11, 1963.

HON. HARRIS B. McDOWELL, Jr.,
Representative in Congress, House Office Building, Washington, D.C.

DEAR MR. McDOWELL: There is presently before the Congress a land and water conservation fund bill, S. 859, H.R. 3846, and others. This bill would provide Federal financial and other assistance to the States for planning, acquisition, and development by them, of outdoor recreation resources, and would assist certain Federal agencies in acquisition of land for recreation and certain conservation purposes.

The fund would be financed largely on a pay-as-you-go basis from entrance, admission, or other recreation user fees at Federal land and water areas, from the sale of Federal surplus real property, and from the proceeds of the existing 4-cent tax on marine gasoline and special motor fuels used in pleasure boats. About 60 percent of the proposed land and water conservation fund would be available for State purposes, and 40 percent for Federal purposes.

The report of the Outdoor Recreation Resources Review Commission noted that outdoor recreation resources now are insufficient to meet public needs. Use of such areas is expected to triple by the turn of the century. More than 90 percent of all Americans now participate in outdoor recreation activities ranging from scenic driving to camping, hunting, fishing, picnicking, and swimming.

The proposed legislation is an outgrowth of the recommendations of the Outdoor Recreation Resources Review Commission. The Commission completed a 3-year study and submitted its report and findings to the President and Congress.

The Association of State Park Directors and International Association of Game, Fish, and Conservation Commissioners approve in principle the purposes of S. 859, but recommend several changes. Those changes which would be in the best interest of Delaware are H.R. 3846, section 5(c) apportionment of funds to the States for planning, acquisition, and development, be on a 75-percent Federal, 25-percent State basis (this division is comparable with the Dingell-Johnson and Pitman-Robertson provision). H.R. 3846, section 5(e) provided, that the total grants to States for development projects shall not during the first 10 full years in which the fund has been in operation, exceed 50 percent of amounts appropriated for each of said 10 years for State purposes.

I would oppose any changes that will allow use of these funds for maintenance and operation, this should be a State responsibility.

Of particular interest is the formula used in apportioning the funds to the States. H.R. 3846, section 5(b-1) states "One-fifth shall be apportioned equally among the several States." Delaware would receive the largest share of its grant under this clause and therefore we are anxious to see that it remains in the bill.

Federal assistance is needed if Delaware is to provide the recreation services and facilities its people require. During the 26 years of its existence, the State Park Commission has purchased a total of 59 acres of land for State park development. By nationally recognized standards, Delaware must provide 6,500 acres of additional State park land by the year 1980.

There are presently no State park facilities in Kent County and small acreage in heavily populated New Castle County. It is a well-established fact that economic as well as esthetic, social, and physical benefits are increased through the construction of attractive park and recreation areas.

My reason for writing you is to call your attention to and request your support of the Land and Water Conservation Fund Act, which if enacted will provide immensurable assistance to the State park program in Delaware.

Sincerely yours,

PETER GELDOLF, Jr.,
Superintendent of State Parks.

FLORIDA

STATE OF FLORIDA,
GAME AND FRESH WATER FISH COMMISSION,
Tallahassee, March 1, 1963.

Senator HENRY M. JACKSON,
*U.S. Senate,
Washington, D.C.*

DEAR SENATOR JACKSON: We have been informed that a hearing has been scheduled for March 7 by the Senate Committee on Interior and Insular Affairs concerning the land and water conservation fund bills (S. 859 and H.R. 3846). We in the resource management field are greatly concerned with the enactment of this legislation because of its far-reaching importance on our natural resources. For the past 40 years I have been engaged in resource management, and I more recently have had the pleasure of serving on the Advisory Council of the Outdoor Recreation Resources Review Commission. With this personal background knowledge, I am certainly aware of the implications of this bill and would most heartily endorse its passage.

There are several changes that we feel would add to the value of the bill and these are as follows:

1. That the apportionment of funds to the States for planning, acquisition, development, operation, and/or maintenance be on a 75-percent Federal, 25-percent State basis;
2. That the development limitation be eliminated;
3. That maintenance and operation of projects under the act only be permitted but not to exceed 25 percent of the amounts allocated to each State; and
- (4) That it be incorporated in the bill that before user fees are established the Recreation Advisory Council conduct public hearings in appropriate places throughout the country.

Your kind consideration of this request would be most appreciated.

Sincerely yours,

GAME AND FRESH WATER FISH COMMISSION.

By: A. D. ALDRICH, *Director*.

GEORGIA (See p. 241)

IDAHO

STATE OF IDAHO,
Boise, March 29, 1963.

HON. STEWART L. UDALL,
Secretary of the Interior,
U.S. Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: I have read with interest your comments on S. 859 and H.R. 1762 which are identical bills to establish a land and water conservation fund to assist in the development of present and future outdoor recreation demands in this country.

Although I have not had an opportunity to discuss this at length with members of our State government, I do think that recognition and implementation of at least a portion of the report of the Outdoor Recreation Resources Review Commission is very timely and would do much to prepare for future generations and make it possible for them to enjoy the outdoor areas of our great State.

You must understand, of course, that a great deal of study on the part of the State of Idaho must go into the development of recreational areas before any final commitment or suggestions could be made. However, there are areas where State and Federal participation can probably be of great benefit and at least in this area these bills have much to recommend them.

One of the questions I might have would be the fee schedule which would be established by the President and upon what recreational facilities such fee schedule would be applicable.

The above are some rather hasty reactions to your letter and enclosures, and perhaps as these legislations move through Congress, a more detailed examination and further recommendations from Idaho may be in order.

Sincerely,

ROBERT E. SMYLLIE, *Governor*.

ILLINOIS

STATE OF ILLINOIS,
DEPARTMENT OF CONSERVATION,
Springfield, April 10, 1963.

HON. HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs.

DEAR SENATOR JACKSON: The Department of Conservation of the State of Illinois wishes to express its support for the basic principles of Senate bill 859 and H.R. 3846.

It is the feeling of this department that there is a very desperate need in Illinois for development of additional recreational facilities of all types, both on the State and Federal level. Illinois is one of the few States which, at the present time, does not have within its boundaries either a Federal park or a national recreational area. We, therefore, feel that it is highly desirable that funds be provided for the development of facilities of this type both by the Federal Government and on a cooperative basis with the various States.

Yours very truly,

WILLIAM T. LODGE, *Director*.

IOWA

STATE CONSERVATION COMMISSION,
Des Moines, Iowa, March 4, 1963.

Mr. HENRY M. JACKSON,
Chairman¹ Committee on Interior and Insular Affairs, Senate of the United States, Washington, D.C.

DEAR SENATOR JACKSON: The Iowa State Conservation Commission wishes to go on record as supporting Senate bill 859 (with the exception of two changes) at the hearing of March 7, 1963. The changes needed are as follows:

1. On page 9 the bill provides for "matching requirements" of 50/50 percent; we recommend a 75-percent Federal and 25-percent States proportion. (This division is comparable with the Dingell-Johnson and Pittman-Robinson provisions).

2. On page 11 the bill provides "development" projects shall not exceed 10 percent of amounts appropriated over first 10 years; we recommend the percentage be changed to "not over 50 percent".

It is extremely important to the people of Iowa that this bill becomes law. The Iowa State Conservation Commission has an extensive recreational planning program underway and is in need of monetary aid to complete the plan. If Federal aid funds were to become available, it would step up the progress so that we could proceed with land acquisition and development in tune with the national recreation plan.

The Iowa Conservation Commission has completed a recreational-users survey, in cooperation with the Iowa State University laboratory, and have also made a field inventory of present recreational facilities. We are most anxious to proceed in the other phases of the program, but find ourselves hindered by lack of adequate funds to proceed with full-scale planning.

Iowa is entering an era whereup several large Federal reservoirs are being either planned or consummated and it is our desire to cooperate in the evolution of this much needed water recreation resource. We believe that these bodies of water will have great influence on the fulfillment of the midwestern recreational needs as a part of the national plan.

During the last 2 years, we have added over 3,000 acres to one of our larger State forests, and hope to acquire an additional 4,000 acres to enlarge still another forest area. We have started the initial planning for the establishment of a 15,000-acre forest in that part of the State where there are no State forests. When completed, all of these areas will be truly multiple-use areas as a result of the cooperative efforts of our park, game, and forestry departments.

Your consideration of this request will be greatly appreciated.

Yours very truly,

GLEN G. POWERS,
Director, Iowa State Conservation Commission.

STATE CONSERVATION COMMISSION,
Des Moines, Iowa, March 1, 1963.

Senator HENRY M. JACKSON,
Chairman, Interior Committee,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: It has been brought to the attention of the Iowa Conservation Commission that a hearing on S. 859 is going to be held by your committee on March 7, 1963. While it is not possible for us to have a representative present to express our views before your committee, the Iowa Conservation Commission wishes to enthusiastically endorse the passage of this legislation.

With the growing accent on recreation, and the competition from private industry for the acquisition of land that can be used for recreational purposes, we

¹The same letter was submitted for the record by Senator Jordon at the request of Senator Jack Miller, of Iowa.

feel that assistance on the Federal level is of material importance to the States in attempting to preserve and develop our recreational facilities.

The Iowa Conservation Commission enthusiastically endorses this proposed legislation.

IOWA CONSERVATION COMMISSION,
By ROBERT E. BEEBE,
Commissioner.

KANSAS

STATE OF KANSAS,
FORESTRY, FISH AND GAME COMMISSION,
Pratt, Kans., January 16, 1963.

Dr. A. HEATON UNDERHILL,
*Assistant Director, U.S. Department of the Interior,
Bureau of Outdoor Recreation, Washington, D.C.*

DEAR HEATON: I have read with considerable interest your memorandum of January 4, which outlines your Bureau's proposals for improving all types of recreation. I certainly am in sympathy with these proposals, as I am a strong believer in the philosophy that those who use and benefit from certain types of facilities should be responsible for developing and maintaining them. Of course, certain basic facilities, such as your large reservoirs that have multiple uses, cannot be developed or maintained by the recreationists. I do feel, however, that they should pay for and maintain those facilities that are added primarily for their pleasure and to promote their recreation.

I believe you will have some problems in getting all of these users to help pay for their activities. I refer specifically to one of the heaviest users and also one that is most vocal in their opposition to any additional taxes for their benefits. I refer to the boating enthusiasts. They are purposely willing to earmark the present gasoline tax, but they are opposing other use permits. It seems to me that if any group should oppose such additional fees, it should be the hunter and fisherman who are paying the same taxes as all of the other users that are referred to in your proposal. Yet, they are also paying special permits in the form of hunting and fishing licenses which are used for the purpose of improving the resources on much of the same land that will be included in a special fee for its use.

I do not oppose, at the moment at least, the fee for all users. However, if certain groups are being excluded or if they oppose fees that would make it inequitable and a greater burden upon the hunter and fisherman, I would have to give it a second thought.

I am chairman of the legislative committee for the midwestern association, therefore I would appreciate receiving copies of any bills and amendments and other legislative proposals that the Bureau is considering so that I may be kept informed and I may keep the midwestern association informed.

Yours truly,

GEORGE C. MOORE, *Director.*

KENTUCKY

STATEMENT OF JOHN WHISMAN, SPECIAL ASSISTANT TO GOV. BERT COMBS

This statement is offered on behalf of the Commonwealth of Kentucky. We appreciate the opportunity to support S. 859 which would establish a program of unusual significance to both the economic growth and the public welfare of the citizens of Kentucky.

My comments are offered on behalf of Gov. Bert Combs and the entire State government of Kentucky. I believe it well represents the preponderate view of principal organizations and agencies and citizen leadership of Kentucky.

In my job as special assistant to the Governor, I am charged with coordinating and expediting any and all programs which will contribute to the total development program in Kentucky, but with a particular emphasis on our areas of greatest economic need. In this capacity, I also serve as executive director of the Eastern Kentucky Regional Planning Commission, as staff chairman of the Conference of Appalachian Governors, and as a member of the National Public Advisory Committee of the Area Redevelopment Administration.

In my work experiences related to these activities, I am convinced that the development of a sound tourist and recreation industry is a major opportunity and a prime necessity in any possible development program which can be successful in improving the economic situation of many areas of Kentucky, as well as the entire Appalachian region. I would not restrict our interest and support for S. 859 to the economic development purpose, we recognize fully the great need for the development of recreational facilities and activities for all people. However, I believe that in the testimony of many others the value of preservation of public lands and the development of recreational resources have been well considered and presented. We in Kentucky concur in the basic representation that the retention and development of recreation resources is an absolutely essential element of our currently developing culture, in light of increasing income and leisure time in the Nation as a whole. But in many areas of Kentucky, and in States with problems similar to ours, we are still at the point where we must place first stress on those factors which will enhance economic opportunity. The coincidence of both benefits which will so obviously be derived from the program created by S. 859 simply heightens the value of this program and places it on a high priority level among various programs in our scale of values in Kentucky.

We want to compliment those who have prepared S. 859 particularly on the inclusion of those factors which provide and enhance the position of States in the responsibility for leadership of the proposed program. We subscribe to the philosophy involved and I believe we can demonstrate that we have practiced in Kentucky what we preached in Washington. While we have constantly beleaguered the Federal Government and its many agencies for both congressional and administrative action to give greater assistance to our people who are attempting to solve development problems, in so doing, however, we have constantly advocated that such Federal assistance should relate closely to local initiative and to basic programs administered at the State level in recognition to the realities peculiar to our specific local areas. We also advocate that there is a basic need and sound commonsense for an overall plan in order to provide a better basis of action judgments. These principles are well provided for in S. 859.

In further practicing our preachments, I am able to advise you that Kentucky has a program of its own and that it is a positive and aggressive program to provide for economic growth and improvement of the general welfare of our people. I will cite only a few of the program actions currently being carried out in Kentucky to indicate that many people have provided both a willingness to take on new and ingenious approaches to action and a willingness to make extensive and responsible investments of time, effort, and money.

In the field of recreation development, particularly, Kentucky is currently engaged in one of the most concentrated tourist industry campaigns of any of the States, while at the same time, and perhaps with greater import, we are expanding our already well-developed State park system with the proceeds of \$20 million in bond issues. We are building State parks which provide a complete range of activities facilities and which also provide for the preservation of historic, natural, and scenic resources, including open space. At the same time, we have expanded many other programs which relate heavily to the recreation and tourist industry development. Among these would be our highway development program, based on \$200 million in bond issues in which Kentucky last year had more miles of highway construction underway in the Union, save Texas. Other programs, based on revenues from a new State sales tax have allowed us to begin a new small lakes program, State financed, an airport development program, a complete doubling of our forest conservation and utilization program and the greatest historical increases in virtually all ranges from education to commercial and economic development. It is within this frame of State responsibility and within the vision of our State leadership which sees the great value of the significance of conservation and development of our recreational and natural resources, that we endorse S. 859 and welcome the opportunity to participate in the program it will provide. We pledge to you and the Congress that we in Kentucky will utilize this program to the fullest extent of the congressional intent to enhance the Nation's economic growth and resources use for the benefit of our citizens.

COMMONWEALTH OF KENTUCKY,
DEPARTMENT OF FISH & WILDLIFE RESOURCES,
Frankfort, Ky., April 4, 1963.

HON. HENRY M. JACKSON,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: We wish hereby to offer support and give endorsement of S. 859, which is for the establishment of a Land and Water Conservation Fund. Such a fund created by Congress has been a badly needed feature for many years. Today, the creation of such a fund becomes of paramount importance due to the rapidly exploding human population. The National Seashore Act has been a minor step in the right direction, and this, I believe, was the first realization by Congress of the urgent need for establishing public recreational areas.

Through this bill, the ideas and purposes of the act can be carried to the people and lands of all of the States. We, here in Kentucky, while earnestly requesting the enactment of the measure, are not sure as to the means which should be taken to secure revenues for payment of the areas established.

We feel that since the measure is of national interest and the majority of the States are already taxed to the limit in carrying on their present program, that the matching basis of the bill could perhaps be amended in a more favorable manner to the States with the Federal Government paying a larger share of the cost.

We well realize that on the present matching basis, sound planning is essential, but it also must be realized that on this same basis, such may result in a collection of voluminous plans which may never progress beyond that stage. We recommend, therefore, that the following amendments, which we believe would bring about the early establishment of the areas as they are now dreamed of and thought of in the bill and by all of us who are in support of the whole idea, be included:

(1) That the apportionment of funds to the States for planning, acquisition, development, operation, and/or maintenance be on a 75 percent Federal, 25 percent State basis: Amend lines 20-24, section 5(c), page 9.

(2) That the development limitation be eliminated: Delete beginning with word "Provided", line 23, page 11, everything to end of (2), section 5(e).

(3) That maintenance and operation of projects under the act only be permitted but not to exceed 25 percent of the amounts allocated to each State: Add new subsection (3) under section 5(e), page 12.

(4) That it be incorporated in the bill that before user fees are established the Recreation Advisory Council conduct public hearings in appropriate places throughout the country.

Sincerely,

MINOR CLARK, *Commissioner.*

FRANKFORT, KY., April 10, 1963.

Senator HENRY M. JACKSON,
Chairman, Interior and Insular Affairs Committee,
Senate Office Building, Washington, D.C.:

Kentucky Department of Parks wishes to go on record as supporting Senate Bill S. 859 and to urge its passage in the Senate.

EDWARD V. FOX,
Commissioner,

Kentucky Department of Parks.

LOUISIANA

STATE LAND OFFICE,
Baton Rouge, La., April 9, 1963.

HON. HENRY M. JACKSON,
U.S. Senator, Chairman of the Committee on Interior and Insular Affairs,
Senate Office Building, Washington, D.C.

HON. WAYNE ASPINALL,
U.S. Representative, Chairman of the Committee on Interior and Insular Affairs,
House Office Building, Washington, D.C.

GENTLEMEN: It has been called to the attention of the chairman and members of the Louisiana State Parks and Recreation Commission that two bills are being introduced in the Congress of the United States, one being S. 859 and the other H.R. 3846, to establish a Land and Water Conservation Fund to assist the States

and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people.

We would like to urge the passage of this legislation in order that our State will be eligible to match funds for the acquisition of lands and to initiate a well-planned program to meet the future recreation needs.

Your earnest effort in behalf of the passage of these bills, which will mean much in the years to come to these United States, will be appreciated.

Respectfully yours,

W. A. WILSON,
Chairman, Louisiana State Parks and Recreation Commission.
 ELLEN BYRAN MOORE,
Register, State Land Office, and Ex Officio Member of the
Louisiana State Parks and Recreation Commission.

LOUISIANA FORESTRY COMMISSION,
Baton Rouge, La., April 8, 1963.

HON. HENRY M. JACKSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: Reference is made to S. 859 and its companion H.R. 3846.

I have just talked with Chairman O. N. Reynolds, Board of Commissioners, Louisiana Forestry Commission. He instructed me to advise you that from the standpoint of forest interest, coming under the jurisdiction of the State forestry commission, we do not believe either of these measures can be in the best interest of the public. These bills appear to have a number of possible provisions that will prove extraordinarily costly to the several governments. The chairman further instructed me to advise you that our commission is strongly interested in normal plans for increased multiple use and recreation in the forests of Louisiana.

Yours very truly,

JAMES E. MIXON, *State Forester.*

MAINE

STATE PARK COMMISSION,
Augusta, Maine, March 5, 1963.

HON. HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR SENATOR JACKSON: The State Park and Recreation Commission of the State of Maine wishes to submit the following statement on Senate bill S. 859 "a bill to establish a land and water conservation fund," which is scheduled for hearing on March 7.

For some time now, the State park and recreation commission has been concerned with the growing problem of providing recreational facilities for the ever-mounting demand of our citizens and, more especially, our large vacation industry. The demands on our limited tax structure for funds for education, social services for our institutions, etc., have left very little for services such as ours involved in the conservation of natural resources and the establishment of public recreation facilities. Therefore, the commission has been looking forward to the time when Federal aid to recreation would become a reality. In the last Congress, we followed with interest, and actively supported, the several bills that might bring some financial assistance to our State for recreational planning, acquisition, and development. It was with regret that we saw no favorable action taken on these bills.

We, as a commission, were much encouraged to see the establishment of the Bureau of Outdoor Recreation in the Department of the Interior based on the

philosophy that it was the States' responsibility to assume the pivotal role in recreation planning and development with the Federal Government providing financial assistance, and Maine felt honored to be included in an early conference with the Bureau of Outdoor Recreation to discuss proposed provisions in a new bill to be presented to the 88th Congress.

In general, we feel that Senate bill S. 859 is a good bill in principle and will go a long way toward aiding States in their recreational problems. In our opinion, the formula in section 5 "financial assistance to States" places heavy emphasis on those States with large populations, and probably this is the way it should be. In a State such as Maine, however, which has a large undeveloped acreage with a comparatively small population, that part of the formula which provides one-fifth equal distribution among the States and three-fifths on the basis of population will not provide, in our opinion, adequate funds to do the job contemplated by the act. It is, therefore, our earnest hope that the last provision in the formula which says, in substance, that one-fifth shall be apportioned to individual States on the basis of need by the Secretary will be preserved in the final draft of the bill. A State such as Maine which has a heavy vacation industry will have to look for additional funds under this section of the act if it is to get Federal aid commensurate with the problem of providing recreational facilities for the great number of people who will invariably turn to Maine for their recreational pursuits.

Regarding that part of the act (E) projects for land and water acquisition; section 2, development, "provided, that the total grants to States for development projects shall not * * * exceed 10 percent of amounts appropriated for each of said 10 years for State purposes pursuant to section 5;" we have this recommendation.

In a State such as ours, which is still pretty much rural in character, with many thousands of acres classified as wilderness, unorganized, and undeveloped, the chief problem facing our State recreational agencies is not so much one of acquiring new land as it is to develop land we already have under our jurisdiction or can probably acquire through gift, lease, easement, etc. As of this date, this department now has four State park areas that are undeveloped totaling over 1,000 acres and a fifth one about to be purchased over 3,000 acres. Our greatest need in the next few years is going to be for funds to develop these areas and make them available for the purposes for which they were purchased or given to the State. As this bill is written, we would be considerably limited in our development program. For example: if we were eligible, under section 5 for \$1 million of Federal aid for each of the first 5 years after this act goes into effect, we would be limited to only \$100,000 of Federal participation for development purposes, and at the Federal-State proposed ratio of 3 to 7 this would make possible a State development program of only about \$333,000 per year, whereas our contemplated development program over the next 5 years should average close to \$1½ million.

Therefore, we would suggest that this 10-percent limitation on development be raised considerably, at least to the level where a State could use up to 50 percent of its Federal assistance for development. It seems to us that in its present form it penalizes those States which happen to have exercised foresight and used their available funds in the past few years to buy up desirable recreation land rather than use those funds for development. Such is the case in Maine.

This commission appreciates the opportunity to express to you our feelings on this most important piece of legislation, and we trust that our recommendations will be given due consideration.

Sincerely yours,

LAWRENCE STUART,
Director of State Parks.

MARYLAND

(See statement of Joseph F. Kaylor at p. 135.)

(Copy of the following letter of Governor Tawes was also submitted for the committee record:)

EXECUTIVE DEPARTMENT,
Annapolis, Md., April 9, 1963.

HON. STEWART UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: I was very pleased to receive your letter of March 26, submitting statements and legislation intended to establish a Land and Water Conservation Fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs (S. 859 and H.R. 1762 of the 88th Congress). I certainly feel, as suggested by you, that this legislation is of great interest and significance to all the States.

Its consideration by the Congress is most timely in giving Federal aid and impetus to the acquisition of much-needed open space for future generations of our people. Perhaps the most significant factor about this proposed legislation is, contrary to last year's program, the provision for substantial assistance directly to the States in their recreation programs.

You have asked in your letter for general observations concerning the bill, as well as some indication of the probable extent of State participation. I heartily endorse the aims and objectives of the programs set forth in the legislation. There are some specific provisions, however, that I think could be improved upon to the benefit of the States.

Under section 5-B "Apportionment Among States" paragraph 3—It is assumed that the apportionment of the last one-fifth of the funds available for State purposes could be adjusted based on a number of factors that might be considered as significant by the Secretary. This may, or may not, consider the density of population and population growth such as we have and are continuing to experience in Maryland. These factors would have very significant impact on the areas in Maryland lying in the Washington-Baltimore corridor and beyond, factors not only bearing strongly on the need to acquire open and recreation land, but also on the cost of available land. These elements would lead me to believe that considerations such as these should have relatively greater importance than that indicated by a one-fifth share of the State allocation.

The requirement for the availability of a comprehensive statewide outdoor recreation plan as provided for in section 5-D is very much in order. However, a plan of this nature fully comprehensive is not always brought about to the best interests of all concerned in short periods of time. We have done significant work in this area and have a new master plan for State parks and recreation areas well along toward completion. But there is still much to be done. The point that I make in this regard is that provision should be made for not denying Federal participating funds to States for land acquisition that would be not inconsistent with a developing program although that program was not yet fully completed.

In section 5, paragraph E-1, it would seem entirely in order to provide for the inclusion of the cost of searching titles and survey of land as an inseparable part of land acquisition. I think it would be desirable to include such language.

Again in section 5-E, paragraph 2 under "Development," it is my feeling that a limitation of 10 percent of amounts appropriated for each of the first 10 fiscal years for development does not appear to be too satisfactory. I would suggest an increase in the percentage, or a lessening in the number of years in which the restriction is placed. This would certainly permit fulfillment of a desirable goal of stepped-up land acquisition in the early years of a program with gradual increase in the development, accompanying probable diminution of land acquisition in the latter years. Adjustments in this part of the proposed legislation could do much toward furthering a speedup in the realization of an actual recreation program.

In section 5-G "Coordination With Federal Agencies," there seems the possibility of division of responsibility by permitting discretionary transfer of planning assistance functions from one agency to another. This perhaps could

be prejudicial to the effective carrying out of the best intentions of the legislation.

Under section 6, paragraph B, "Water Projects Limitation," it is apparent that no money from this proposed fund could be used by the Federal Government for the acquisition of additional lands at Federal or federally assisted water development projects. I do not find such a restriction in the proposed legislation in relation to State or local funds that might be used at a federally assisted water development, and hope the omission thereof permits the use of funds under S. 859 to help further offset State and local costs in any future water impounding or development projects, particularly since such areas undoubtedly would be used by State and local governments for recreational purposes.

These comments are intended primarily to add strength to a proposed bill from a State point of view, and certainly are not directed in any critical sense at all.

As to the probable extent of State participation in this program, I feel that Maryland certainly would be interested in taking advantage of the funds and opportunity that would be offered to us by the passage of such legislation. In recent years the State of Maryland has stepped up considerably its appropriation for land acquisition and development of properties for State parks and recreation areas. In the four most recently completed sessions of the Maryland General Assembly, Maryland has appropriated a total of almost \$10 million for its parks and recreation area programs, or an average of about \$2,500,000 in each of these last 4 years. This is roughly broken down in a proportion of about 4-to-1 of land acquisition versus development. At this rate of appropriation we should be able to take advantage of almost all the funds that might be made available to Maryland under the present provision of S. 859.

It is anticipated that our programs will allow us to proceed at the present or a greater rate of acquisition for park and recreation areas in the succeeding years.

I might add that in addition to the State funds for these purposes, a number of our local jurisdictions have made, and are continuing to make, substantial appropriations for open space and recreation programs. These, when coordinated with the statewide program, presumably would qualify for assistance under this proposed legislation.

I am very encouraged by the content of this legislation aimed at establishing the Land and Water Conservation Fund and look forward to its passage as a substantial assistance to us in accelerating recreation programs in various stages of development in Maryland. I hope the comments contained in this letter will be of constructive use to you in evaluating and following through to passage the provisions of this legislation.

With kindest regards and best wishes, I am

Sincerely yours,

J. MILLARD TAWES,
Governor of Maryland.

MASSACHUSETTS

DEPARTMENT OF NATURAL RESOURCES,
Boston, Mass., April 8, 1963.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR SENATOR JACKSON: The Massachusetts Department of Natural Resources would like to be recorded as favoring the provisions of S. 859 which call for a program of financial assistance to the States for the planning, acquisition and development of public outdoor recreation facilities.

As the result of a State master plan for outdoor recreation prepared by the department in 1957, the Commonwealth has embarked upon a long-range parks expansion program estimated, at the time, to require some 20 years and \$100 million for completion.

Unfortunately, the level of funds available has not permitted the degree of progress visualized originally and the provisions of S. 859 would provide invaluable assistance toward an effort which the State is attempting to advance on its own with the limited means at its disposal.

You should be advised that the State's 1957 recreation study, prepared by nationally known engineering consultants, made particular note of the fact that any facilities provided would lie within a day's drive of a third of the Nation's population, thereby producing opportunities of significance to the region as a whole, as well as to Massachusetts.

I, therefore, urge your early consideration of this measure and your full support of its provisions.

Sincerely yours,

CHARLES H. W. FOSTER, *Commissioner.*

MICHIGAN

LANSING, MICH., *March 7, 1963.*

Senator HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.:

Michigan heartily endorses Senate bill 859 in principal and is in specific agreement with amendments thereto proposed by William B. Towell, chairman of the legislative committee of the International Association of Game Fish and Conservation Commissioners.

GERALD E. EDDY,
Director, Michigan Department of Conservation.

MINNESOTA

ST. PAUL, MINN., *April 11, 1963.*

Hon. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Senate Office Building, Washington, D.C.:

On behalf of the State of Minnesota I strongly urge favorable consideration of S.859, the land and water bill, as necessary to the acquisition and development of our outdoor recreational resources.

KARL F. ROLVAAG,
Governor of Minnesota.

MISSOURI

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, February 26, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR SENATOR JACKSON: I should like to present the following official statement of the State of Missouri pertaining to S. 859, the Land and Water Conservation Fund Act of 1963.

The State of Missouri heartily endorses the principle of S. 859 and believes its enactment into law will stimulate the outdoor recreation program of this State. However, we would like to recommend the following suggested amendments:

I. Section 5(c) page 9, lines 20, 21, 22, 23, and 24 be changed to read as follows:

"Payments to any State shall cover not more than 75 per centum of the cost of planning, acquisition, and/or development projects, that are undertaken by the State."

II. Section 5(e) (2), page 11, eliminate on line 23 starting with the word "Provided," lines 24 and 25, page 12, lines 1, 2, and 3.

III. Add a new section (3) under section 5(e), as follows:

"MAINTENANCE AND OPERATION.—For maintenance and operation of projects under this Act only, not to exceed 25 per centum of the total amount allocated to any State."

Missouri's support of the Land and Water Conservation Fund Act of 1963 and the amendments suggested herein represents the combined thinking of the Missouri State Park Board and the Missouri Conservation Commission, the agencies primarily concerned with the outdoor recreation program in Missouri.

Sincerely,

JOHN M. DALTON, *Governor.*

(See also statement of William E. Towell at p. 93.)

NEBRASKA

(See statement of M. O. Steen at p. 100.)

NEVADA

STATE PARK SYSTEM,
March 5, 1963.

Re S. 859 and H.R. 3846, Land and Water Conservation Fund Act, 1963.

HON. ALAN BIBLE,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR BIBLE. We are vitally interested in the Land and Water Conservation Fund Act, which if passed, the Nation's State park systems could begin to catch up to the increasing user demands placed upon them.

In Nevada where our park development program has just barely begun, Federal aid could serve an extremely useful purpose to supplement State appropriated moneys.

The objectives of the conservation fund bill could best be carried out if amended so that its matching requirements would fall in line comparable to the Dingell-Johnson and Pitman-Robertson provisions. We recommend matching requirements of 75 percent Federal and 25 percent State participation. On page 11, the bill provides "that the total grants to States for development projects shall not during the first 10 full fiscal years which the fund has been in operation, exceed 10 percent of amounts appropriated for each of said 10 years for State purposes." Nevada needs assistance to develop park facilities and roads on its existing units and is certain that the bill could better accomplish its purpose if "not over 50 percent" were inserted in place of "10 percent."

The park system urges your support of this bill and its passage at an early date.

I request that this letter respectfully be made part of the Congressional Record.

Sincerely yours,

DEAN KASTENS, *Director.*

RENO, NEV., March 7, 1963.

Re land conservation fund.

HON. ALAN BIBLE,
Senate Office Building, Washington, D.C.:

Proposal for 30 percent Federal matching funds for State park land acquisition may be appropriate for heavily populated States with huge tax resources. It is not adequate for sparsely populated States such as Nevada and the other intermountain States. These States cannot afford even to appropriate sufficient funds along with the proposed 30 percent to buy the lands necessary for the predicted large populations of these States and the Nation. Land prices in these States are now relatively low and nowhere else is there such an opportunity to buy so much of value to the whole Nation for so little money. I urge you to amend the proposal to provide up to 75 percent matching funds for sparsely populated States with growth potential. I do not believe significant matching funds are so necessary for heavily populated States. The bulk of the Nation's investment in this area should be in sparsely populated States.

LESLIE H. GOULD,

Chairman, Nevada State Park Commission.

NEW HAMPSHIRE

FISH AND GAME DEPARTMENT,
Concord, N.H., April 2, 1963.

HON. HENRY M. JACKSON,
Chairman, and Members of the Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

GENTLEMEN: I should like to go on record as supporting the basic principles of Senate bill 859. I believe certain amendments should be made to make the grants available under such terms that the States will be able to raise the necessary matching funds to accept them.

(1) On the financial side, we would favor a matching basis of 75 percent Federal to 25 percent State for appropriations for planning, acquisition, development, and operation and/or maintenance.

(2) That maintenance and operations appropriations be permitted for projects authorized under the act to an extent not to exceed 25 percent of the amount allocated to each state.

(3) That the limitation on development be eliminated.

This would make the application of these funds follow the principles now in effect for the Dingell-Johnson and Pittman-Robertson programs which have already proved their worth. We believe that the tighter restrictions imposed by the bill in its present form would discourage participation by the States to a serious degree. I am certain this would be the case for New Hampshire where it is exceedingly difficult to secure the necessary appropriations for matching funds.

I believe a further amendment should be sought to require public hearings throughout the country before users fees could be determined and imposed by presidential authority, including a controversial car sticker for entry to all national public lands for recreational purposes.

Still another should be included to remove from the section of the bill which deals with coordination with Federal agencies the provisions which would allow transfer of planning authority from the BOORC to the HHFA. The mere fact that HHFA has already developed planning standards suitable for recreation areas adjacent to cities or within their borders does not imply that these same standards are suitable or wise for more remote areas, or that the agency competent for one type of discrimination is best suited to make the other.

Sincerely yours,

RALPH G. CARPENTER, 2nd,
Director.

 NEW JERSEY

TRENTON, N.J., March 4, 1963.

HON. HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.:

Stimulation of the several States into taking action in cooperation and coordination with Federal Government to develop adequate outdoor recreation programs is of paramount importance if we are to succeed in our national effort to meet the growing demand for more adequate outdoor recreation facilities.

Federal grant-in-aid assistance to the States as provided for in the proposed land and water conservation fund bill, S. 859, will assist them in establishing outdoor recreation planning acquisition and development programs and will help those States which have already embarked upon the preparation of statewide recreation development plans and acquisition programs to continue their efforts to meet the real and immediate need for such facilities.

We consider S. 859 to be soundly conceived legislation but strongly urge amendment of section 5 to provide for Federal payment of 50 rather than 30 percent of the cost of acquisition or development projects undertaken by a State and to remove the restriction which limits a State's expenditure for development to 10 percent of the total amount appropriated to it in any one year. Let the States which have pioneered in this forward-looking field have op-

portunity to better judge for themselves how they may best employ such grant-in-aid assistance among the three purposes of planning, acquisition, and development.

Respectfully,

RICHARD J. HUGHES,
Governor of New Jersey.

NEW MEXICO

STATE OF NEW MEXICO,
Santa Fe, March 5, 1963.

Senator HENRY M. JACKSON,
U.S. Congress, Washington, D.C.

DEAR SENATOR JACKSON: The proposed land and water conservation fund would mean much to the development and economy of the State of New Mexico.

Lt. Gov. Mack Easley and I campaigned on a program calling for expansion of our natural recreational resources to boost tourism, which is vitally important to our citizens.

There is widespread and enthusiastic public support for this program, especially in our distressed counties, which have some of the most beautiful scenery in the State.

We appreciate your interest in the development of outdoor recreation areas and facilities and assure you of our support in this battle to provide grants-in-aid to States such as ours. I hope you will be able to visit New Mexico again soon.

Best personal wishes to you and your family.

Sincerely,

JACK M. CAMPBELL, *Governor.*

STATE OF NEW MEXICO,
Santa Fe, March 1, 1963.

Hon. HENRY M. JACKSON,
U.S. Senator, Washington, D.C.

DEAR SENATOR: New Mexico has embarked upon a program of development of our recreation facilities. We are going to try to make some dramatic progress in this area within the next few years.

S. 859, which I understand is being considered by your committee, has a great deal of interest for us since it will make available matching funds to develop outdoor recreation. We are certainly hopeful that your committee looks with favor upon this bill and that it passes the Congress.

Sincerely,

MACK EASLEY, *Lieutenant Governor.*

NEW YORK

ALBANY, N.Y., *April 8, 1963.*

Hon. HENRY M. JACKSON,
Senate Office Building, Washington, D.C.:

Urge favorable consideration of (S. 859) land and water conservation bill as vitally needed for assistance to States in developing adequate outdoor recreation programs.

WM. D. MULHOLLAND,
Assistant Commissioner for Lands and Forests.

NORTH DAKOTA

NORTH DAKOTA GAME AND FISH DEPARTMENT,
Bismark, N. Dak., April 1, 1963.

Hon. HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: On behalf of the people of North Dakota, the North Dakota Game and Fish Department strongly supports Senate bill 859 in principle. We feel that this is the most important piece of conservation legislation before the present session of Congress.

Yours very truly,

RUSSELL W. STUART, *Commissioner.*

OHIO

STATE OF OHIO,
Columbus, March 6, 1963.

Senator HENRY M. JACKSON,
Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: I am enclosing for the consideration of the Senate Interior and Insular Affairs Committee a formal statement covering Ohio's position with regard to S. 859.

This statement represents the position of the administration of Gov. James A. Rhodes and I sincerely hope that it will serve to aid passage of S. 859.

Thank you for your consideration.

Sincerely,

DEAN JAUCHIUS,
Coordinator, Programing and Financing.

STATEMENT PRESENTED FOR THE STATE OF OHIO

My name is Dean Jauchius. I have been asked by Gov. James A. Rhodes to represent to this committee in his behalf, and in behalf of the Ohio Department of Natural Resources, our support of S. 859, the land and water conservation fund bill.

In Ohio, the Department of Natural Resources is a composite organization, representing all aspects of conservation and natural resources. Three of the eight divisions in the department, parks, wildlife, and watercraft, are devoted solely to outdoor recreation. Other divisions, such as water and forestry, play major supporting roles in outdoor recreation.

The upsurging public demand for outdoor recreational facilities in recent years has hit us with full force in Ohio. Our State park visitations have increased seven times faster than population growth over the past 10 years. State parks now receive over 20 million visitors annually. This does not include the multi-million visitors to our fine municipal, metropolitan, and conservancy district parks.

Yet, we are not content. Governor Rhodes has pledged a major program for the improvement and expansion of our park facilities and hunting and fishing areas. Several bills already introduced into the general assembly are working toward this end. We welcome appropriate support from the Federal level in this endeavor.

We can support the land and water conservation fund for the following reasons:

1. It provides national impetus toward the solution of a national problem. The need for outdoor recreational facilities is widespread. Some areas need outside financial assistance. Others need technical and planning assistance.
2. The fund can be established without additional burden to taxpayers. Finances are to be derived from logical sources related to the purposes of the fund.
3. The pivotal role in planning, construction, and operation will remain with the individual States. Outdoor recreation problems are unique with each State. Methods of solving them must vary accordingly.

We should like to suggest that consideration be given to amending the portion of the bill having to do with matching requirements by the States. We would prefer that payments to States for cost of acquisition and development of projects may be no more than 50 percent instead of the 30 percent as now proposed. This would be more in line with the disbursement of Dingell-Johnson and Pittman-Robertson funds for fish and wildlife projects.

In closing, I wish to say that we have been very much impressed by the philosophy and objectives of the Bureau of Outdoor Recreation, the agency which is to administer the land and water conservation fund. We have already established good working relationships with the personnel in the Bureau and I am confident that a high degree of cooperation will continue.

We are in full accord with the objectives of the Bureau of Outdoor Recreation and the land and water conservation fund bill.

We appreciate having had the opportunity to appear before this committee.

By direction of Gov. James A. Rhodes.

DEAN JAUCHIUS,
Coordinator, Programing and Financing.

OKLAHOMA

OKLAHOMA'S PLANNING AND RESOURCES BOARD,
Oklahoma City, Okla., March 26, 1963.

HON. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SENATOR JACKSON: I am writing you in reference to S. 859, a bill entitled "Land and Water Conservation Act of 1963." The views that I express, of course, are primarily those of one interested in State parks. I feel that the matching requirements which the bill provides for on page 9 on a 50/50 basis should be reconsidered on a 75 percent Federal participation and 25 percent State participation which would make the funds comparable with the Dingell-Johnson and Pittman-Robertson provisions. I also feel on page 11 wherein the bill provides "development projects shall not exceed 10 percent of amounts appropriated over the first 10 years" should be changed to a percentage of not over 50 percent.

Reading the bill, it is not entirely clear whether State parks on land which the State has under lease or license from the Federal Government would be forced to charge an entrance fee even though the park is operated by an individual State. I believe this should be clearly defined that this type of park would not be required to charge a park entrance fee.

I appreciate this opportunity to state my views on the above bill and if I may be of any help now or in the future, please feel free to advise me.

Very truly yours,

CHARLES L. MONROE, *Chairman.*

OREGON

OFFICE OF THE GOVERNOR,
Salem, April 9, 1963.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: In response to inquiry from several public and private sources, I am pleased to express the official views of the State of Oregon on S. 859, which has been introduced to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

First, may I say that we are in complete accord with the basic principles of S. 859 and find that it is, with some reservations, responsive to the recommendations of the Outdoor Recreation Resources Review Commission. As you know, Oregon cooperated wholeheartedly with the Commission during its study and has since, in anticipation that action based upon the Commission's recommendation would be taken by Congress, established a coordinating agency to assist in coordination with the various levels of government and the private sector in promulgation of a comprehensive statewide plan. Much of the work, of course, has

already been completed by the parks and recreation division of the State highway commission and results of that commission's recent nonurban outdoor recreation study were made available in printed form last year.

We welcome the opportunity to present our views on this very important legislative proposal.

The bill, as introduced, indicates certain sources of revenue estimated to initially yield some \$147 million per year to the program; authorizes use of a portion of these revenues to help offset cost of recreation land acquisition at Federal water projects; establishes a land and water conservation fund consisting of dedicated revenues plus general appropriations averaging up to \$60 million annually for 8 years. The bill would authorize appropriations from the fund for grants to States for recreation planning, land acquisition and development, and also acquisition of lands within national parks and related areas and national forests for refuges and preservation of endangered wildlife species and for incidental recreation development at wildlife refuges. The bill provides for repayment from dedicated revenues of appropriations from General Treasury funds after the 10th year of the program's operation.

We agree that adequate outdoor recreational opportunities are of tremendous importance to the American people. In order to assure that such opportunities are indeed available, it is obvious that the efforts of government at all levels and the private sector must be coordinated in a meaningful program designed to meet the needs of the American people in this vital area.

It is further obvious that such a program must be based upon sound planning which can lead to effective and desirable land acquisition and development of appropriate facilities. Because of the wide range of its recreation activities and its significant land holdings, the Federal Government obviously must share substantially in the total program. Further, it is our belief that the Federal Government's responsibility extends to participation in a sound program of assistance to the States and their political subdivisions for the purpose of stimulating, but not replacing, local action in the outdoor recreation field.

Because we, in Oregon, have found widespread public support for the system of user fees and charges established in our State parks, we concur in the recommendation that a similar system be developed to at least partially defray the costs of formal recreational developments on Federal lands. We would be somewhat reluctant, however, to support imposition of user or entrance fees into those areas where no formal development is utilized by the public and where such a charge might be established for simple access to the Federal lands.

In the matter of user fees for specialized facilities, it is our feeling that the scheduled charges should be sufficiently low that no citizen would be precluded from enjoying such facilities because of inability to pay. It would be our further hope that in the matter of user fees a uniform system may be devised.

The bill implies that such revenues as may accrue to the land and water conservation fund may be used to help offset various recreation costs. We would resist any inference that such funds might be the sole source of financing for necessary outdoor recreation planning or development, for, in our opinion, Federal appropriations in this field have been grossly insufficient. Monies made available through passage of S. 859 should then be used to augment current and continuing appropriations for such purposes and should not be considered in lieu of currently available revenue from the General Treasury.

The agencies of Oregon State government have reviewed in detail the specific features of the land and water conservation fund bill. Concurrence in and support for the basic principles of the bill have been unanimous. For the consideration of your committee, however, we suggest the following amendments:

Section 1(b): We would suggest this section be amended to include the following as purposes of the bill: "The purposes of this act shall be to assist in preserving, developing, and assuring accessibility to all American people of present and future generations such quality and quantity of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to help assure the spiritual, cultural, physical, and economic benefits that such outdoor recreation provides by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities, and (2) providing funds for the Federal acquisition of certain land and other areas."

Section 2(a) : Based upon previous comments, it is our thought that your committee may wish to consider delineating in law specific fees and user charges, and we respectfully suggest amendment of this section to make it clear that no charge will be imposed upon the public for coming upon Federal lands where no formal recreation development has taken place.

Section 4(a) : Because of the probable conflict involved in determination of need, it is suggested this section be clarified as to the division of funds for Federal and State purposes, and we suggest application of the 75/25 percent formula as concerns State-Federal sharing.

Section 5(b) : In lieu of the distribution formula suggested herein, we would prefer apportionment of available funds as follows: (1) two-fifths shall be apportioned equally among the several States; (2) two-fifths apportioned in the proportion which the population of each State bears to the total population of the United States; (3) one-fifth be apportioned on the basis of need as provided in the bill.

We believe such a division would be most equitable, particularly as concerns Oregon. Our State should rank high in priority since all available figures indicate State and local governments are spending considerably more on outdoor recreation than is the Federal Government in Oregon, despite the fact that the Federal Government controls more than 50 percent of the State's land area, including most of the prime recreation lands.

Section 5(c) : We believe the 30-percent limitation on acquisition and development costs is unrealistic and would suggest an increase to at least 50 percent in order to provide stimulus to the States and at the same time place primary responsibility in the local area.

It is noted that the Outdoor Recreation Resources Review Commission recommended that Federal assistance in recreation planning be pegged at 75 percent. Because of the critical importance of sound planning to the effective use of Federal assistance, we believe the bill should be amended to provide the 75 percent figure.

Section 5(e) : Since the bill provides that each State must prepare a comprehensive outdoor recreation plan prior to receiving grant moneys for acquisition or development projects, we believe the States should be permitted to use their apportionment to meet needs indicated by the comprehensive plan which has been approved by the Secretary. Thus, the 10 percent restriction is somewhat unrealistic, and the bill should be amended to provide flexibility needed to carry out projects approved as a part of the overall plan.

We sincerely feel that the purposes of the act could be carried out to better advantage through application of the proven 75/25 percent formula of the Dingle-Johnson, Pitman-Robertson programs.

Section 5(f) : We are particularly pleased to note the recognition accorded to political subdivisions of the State and the means whereby, through cooperative efforts, such local entities may participate in an adequate outdoor recreation program.

Section 5(g) : We believe it may be desirable to more clearly delineate guidelines on the relationship between the program authorized by this bill and that of the Housing and Home Finance Agency.

You are undoubtedly aware that there is concern among some members of the Congress relative to methods of funding this program as stated in the bill. There are many who feel that the importance of outdoor recreation is such that Federal participation in such a program should be financed through the regular appropriations processes. Because of the importance of the program envisioned in the bill, however, we believe the revenue sources as outlined are appropriate. On the matter of advance financing there is clearly precedent for such a proposal. If we assume that such financing methods are wise, certainly outdoor recreation is an area eminently eligible for use of such funds as may be made available through this method.

Finally, I would reiterate our support of the concept inherent in the land and water conservation fund bill. It is clear that if we are to meet the outdoor recreation needs of our people, much more needs to be done by all levels of government.

Sincerely,

MARK O. HATFIELD, *Governor.*

PENNSYLVANIA

(See statement of Maurice K. Goddard at p. 87.)

SOUTH CAROLINA

STATE COMMISSION OF FORESTRY,
Columbia, April 3, 1963.

Re S. 859 (H.R. 3846), Land and Water Conservation Fund Act of 1963.

Senator HENRY M. JACKSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: Our South Carolina State Commission of Forestry and its Division of State Parks has a definite interest in the provisions of the companion bills listed in the above caption.

With the ever-increasing demand for more open space and additional facilities to meet the demands of our people for outdoor recreation, the several State park systems need the assistance that the above bill provides. We are asking our own congressional delegation to support this measure.

Very truly yours,

CHAS. H. FLORY, *State Forester.*

SOUTH DAKOTA

DEPARTMENT OF GAME, FISH, AND PARKS,
Pierre, S. Dak., April 5, 1963.

Hon. HENRY JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: I wish to express the support of the South Dakota Game, Fish, and Parks Department for S. 859, the Land and Water Fund Act.

There is a tremendous need over the United States to plan, acquire, develop, and manage natural resources for outdoor recreation. Natural resource management has been historically oriented toward the needs of individual resource benefits such as wood products, agriculture, wildlife, domestic water, electrical power, flood control, etc.

The current demand by the public for adequate outdoor recreational lands and facilities necessitates that resource managers give greater consideration to public recreation and that additional lands for recreation be acquired and developed.

A crisis already exists in many heavily populated areas of the United States due to a shortage of lands dedicated to recreation and the lack of basic recreational developments. Presently in South Dakota, a State with a relatively low population and a vast land area, we are being hard pressed for recreational lands and facilities. Our problems could become critical in a few years hence unless some comprehensive development program is forthcoming.

We are highly in favor of the emphasis that S. 859 places on cooperation with State recreational agencies and the fact that funds for the program would be derived from Federal user fees, marine fuel tax, and the sale of surplus Federal lands.

In regard to the formula for State and Federal matching funds, we believe that the formula of the Pittman-Robertson and Dingell-Johnson programs which is 75 percent Federal and 25 percent State would allow greater participation by the States. The above formula should apply on an equal basis to planning, acquisition, and development. Under the proposed formulas 50 percent Federal and 50 percent State for planning, 70 percent State and 30 percent Federal for acquisition and development, it would require that we budget \$2½ million to participate with the program assuming that South Dakota would qualify for \$800,000 annually. It would be financially impossible under these provisions to participate to an effective degree.

Also the restriction of 10 percent of the amount appropriated to the States for development would hamper the overall program in South Dakota and, I would

assume, numerous other States in the same category as our State. In South Dakota we have a large acreage of recreational lands that are in need of conservation developments, access roads, and basic recreational and sanitary facilities. A restriction of 50 percent for development would be more tolerable if it is necessary to restrict development.

We are very enthused at the opportunities that S. 859 could offer to our State in the way of bringing our recreational lands up to the minimum standards for conservation and public use.

Sincerely yours,

WALTER J. FILLMORE, *Director.*

DEPARTMENT OF GAME, FISH, AND PARKS,
Pierre, S. Dak., April 9, 1963.

HON. HENRY M. JACKSON,
*U.S. Senator, Chairman of Senate Committee on Interior and Insular Affairs,
Washington, D.C.*

DEAR SENATOR JACKSON: The land and water conservation fund bill (S. 859) is good legislation. It has been a long time coming and we can all agree that it is badly needed.

Many of the States seem to be in disagreement about where the emphasis should be placed in the purposes of the bill. It is important, however, that we do not overlook the primary need to get this bill passed. I hope these disagreements will not jeopardize the bill's chances in this session.

It would seem practical, therefore, that a few of the major restrictive provisions of the bill, which seem to be the chief source of opposition, be modified slightly to enable some States to participate more fully. I refer to section 5(e) of the bill which restricts the amount of funds which could be used for development during the first 10 years of the program. In the Great Plains States, where land is available but where development is scarce, a recreation program favoring land acquisition but holding down development is not very appealing. The bill, as written, doesn't seem to fit us. We would hope that the 10-percent ceiling on development could be increased somewhat to serve our needs better. In this case, a little more elasticity in the bill's limitations is all that is desired. I believe this change would erase a lot of the present opposition to the bill as presently written and obtain more support for its passage.

Respectfully yours,

ROBERT J. ARKINS, *State Forester.*

TENNESSEE

GAME AND FISH COMMISSION,
Nashville, Tenn., April 5, 1963.

Senator HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,
Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: On behalf of the State of Tennessee, I would like to indicate support for the basic principles of the Land and Water Conservation Fund Act of 1963 (S. 859 and H.R. 3846). Although there are a number of changes which we feel would strengthen this legislation, its passage would represent great forward progress in conservation.

This new emphasis on outdoor recreation at the Federal level will be a great stimulus to the States. It is essential that planning and acquisition for outdoor recreation not be delayed because land so badly needed may not be available in the future.

I want to offer, in behalf of the State of Tennessee, support for the Land and Water Conservation Fund, with the several amendments offered by the International Association of Game, Fish, and Conservation Commissioners, as presented by Mr. William E. Towell before the Senate Interior Committee last month.

Sincerely,

FORREST V. DURAND, *Director,
Tennessee Game and Fish Commission.*

UTAH

STATE PARK AND RECREATION COMMISSION,
Salt Lake City, Utah, April 9, 1963.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: We have reviewed your bill, S. 859, to establish a land and water conservation fund to assist the States and Federal agencies. Such legislation is sorely needed. We particularly subscribe to the principle that recreation users should help underwrite the costs.

We endorse the objectives of your proposal, especially its provisions aimed at assisting States with soundly conceived planning, land acquisition, and recreation development programs, but urge you to consider that the majority of the Western States are poor States and Federal ownership in most of them is very high. As the population of most of the Western States is sparse and because of the high Federal ownership, the commission would like to suggest a change in the formula for disbursements of funds to give more consideration to the needs of the Public Land States. We also recommend a larger percentage be made available for development purposes and that the Federal Government should match acquisition and development costs on no less than the planning costs.

Undoubtedly committee hearings will develop other instances which may require some changes or further clarification but we wholeheartedly support the main purposes of your bill and commend your interest in implementing a cooperative Federal-State program to meet the growing public need for outdoor recreation.

Sincerely yours,

A. HAMER REISER, *Chairman.*

VERMONT

(See statement of Perry H. Merrill on p. 65.)

WASHINGTON

STATE OF WASHINGTON,
Olympia, March 5, 1963.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
Senate Office Building,
Washington, D.C.

DEAR SCOOP: A short but most sincere note to advise you that I am most heartily in favor of S. 859 and want to go on record in support of it. I am hopeful also that the allocation of funds be made on the basis of 60 percent for State and 40 percent Federal, with the States given the opportunity to use the funds for planning, acquisition, and development of recreational areas without undue discrimination.

Kindest personal regards.

Sincerely,

ALBERT D. ROSELLINI,
Governor.

STATE OF WASHINGTON,
DEPARTMENT OF NATURAL RESOURCES,
Olympia, Wash., February 28, 1963.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
Senate Office Building,
Washington, D.C.

DEAR SCOOP: I have been informed that S. 859, to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes, is scheduled for a hearing on March 7 before your committee.

I want to let you know that I am in favor of such legislation and want to go on record in support of S. 859.

An advance copy of the bill which I received appears to be in line with the conclusions reached at a meeting in Ed Crafts' office on October 16, 1962. I attended this meeting along with a number of other States' representatives.

I am particularly concerned that allocation of funds be made on the basis of 60 percent for State and 40 percent for Federal, as contained in section 4 of the bill. I hope this allocation will not be changed. Any distribution less than 60 percent to the States would, in my opinion, be inappropriate.

Another thought which I would like to express here is that the States should be allowed sufficient latitude to use the Federal funds without discrimination between planning, acquisition, and development of recreational areas. We here in Washington have already accomplished a good deal of advance planning on our recreational programs, and we feel that we are ready to proceed with acquisition and development. Several bills for this activity are now before the legislature.

Sincerely,

BERT L. COLE,
Commissioner of Public Lands.

WASHINGTON STATE PARKS AND RECREATIONAL COMMISSION,
Olympia, Wash., March 4, 1963.

Senator HENRY JACKSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: As you know, we of the State of Washington Parks and Recreation Commission have given unqualified support and endorsement of the Bureau of Outdoor Recreation and are, therefore, very much in favor of S. 859 that will help fund this much needed program.

During December we held a Governor's conference on outdoor recreation and received the enthusiastic support of and endorsement of over 200 individuals representing a variety of organizations (list enclosed) for an accelerated outdoor recreation program for Washington. In February we completed a study that pointed out the need and indicated the opportunities. We now have four bills in the State legislature, they passed the Senate Saturday, that will help us close the gap between demand and availability of outdoor recreation facilities.

Funds from S. 859 would enable us to better serve the citizens and guests of our State. The State of Washington needs this program.

On pages 11 and 12 of the bill, we feel that the percentage allocated for "development" should be changed from 10 percent to 50 percent so that we will not be restricted in developing the opportunities that exist here in the "Evergreen Playground."

Sincerely,

CLAYTON E. ANDERSON, *State Parks Director.*

WEST VIRGINIA

DEPARTMENT OF NATURAL RESOURCES,
Charleston, April 9, 1963.

Hon. HENRY M. JACKSON,
Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. JACKSON: I wish to submit my views regarding the Land and Water Conservation Fund Act of 1963, Senate bill 859 and companion bill H.R. 3846. I heartily endorse the underlying principles of this bill but know that it cannot benefit our State materially without an amendment to change the Federal-State matching formula. If the matching basis were 90-percent Federal and 10-percent State funds, I feel that our State could benefit from this program. Otherwise, it appears that the program will be for those States that are presently well financed.

I shall appreciate your careful consideration of this point before your committee takes its final action.

Sincerely,

WARDEN M. LANE, *Director.*

WISCONSIN

THE STATE OF WISCONSIN,
Madison, March 5, 1963.

U.S. Senator HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
 Bureau of Outdoor Recreation, Washington, D.C.*

DEAR SENATOR JACKSON: I wish to go on record as strongly supporting the proposed land and water conservation fund bill now before your committee. The bill thinks ahead to the not too distant future when Americans will be seeking a place for recreation.

We found in Wisconsin that we were in danger of losing our potential recreation. Some of it has been lost. Too many of our more than 9,000 lakes are lined with cottages, so that only a few benefit instead of the many. And we have many to worry about because we provide vacation and recreation areas for citizens from several Midwestern States.

Under my predecessor, Gaylord Nelson, now a U.S. Senator, Wisconsin acted to take advantage of some of the public recreation areas that remained. Two years ago, he proposed a \$50 million, 10-year plan financed on a pay-as-you-go basis. The plan brought immediate approval from a legislature controlled by the opposition party. The program is a big one for our State. But we doubt that it can be big enough. Preliminary projections in our statewide, comprehensive recreation plan indicate that we will have 16 million out-of-State visitors a year by 1980, twice that number by the year 2,000.

Our early work and studies indicate that we can hardly do enough to provide recreation. We have learned, for example, that marinas are filled up as soon as they are built. Thus, we would welcome a chance to work with the Federal Government on a new recreation program to benefit all of America.

Sincerely yours,

JOHN W. REYNOLDS, *Governor.*

 ADDITIONAL STATEMENTS AND COMMUNICATIONS

SALT LAKE CITY CHAMBER OF COMMERCE,
Salt Lake City, Utah, April 9, 1963.

HON. HENRY M. JACKSON,
*Chairman, Interior and Insular Affairs Committee,
 Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: Enclosed herewith please find copy of a communication which I addressed to Senator Moss respecting the financing of the activities of the Bureau of Outdoor Recreation.

We are of the opinion that fundamentally this program is constructive and should assist materially in the development of outdoor recreation facilities, but we likewise feel that to begin with on the basis of income from entrance and user fees, Utah and the other intermountain States will be contributing by far a very considerable amount of the income due to the fact that we are public land States and are dotted with national parks, monuments, bird refuges, etc. Practically every car in the State of Utah will have to have a stamp attached to it to allow us to undertake any type of outdoor recreation. For example, the use of the forest area in our adjacent canyons will call for payment of the entrance fee. Upland bird and deer hunting and duck hunting on the public marshes will all call for entrance fees. On that basis, we feel that the three fifths allocated on the basis of population, to begin with, will be considerably out of balance.

Our committee has outlined the reasons for our recommendations on the matching formula. I am enclosing herewith a copy of the report of the committee, which is concurred in by the Utah Department of Fish and Game.

Sincerely,

GUS P. BACKMAN, *Secretary.*

SALT LAKE CITY CHAMBER OF COMMERCE,
Salt Lake City, Utah, March 6, 1963.

Senator FRANK E. MOSS,
Senate Office Building, Washington, D.C.

DEAR SENATOR: Following up our discussion while you were here last week with respect to H.R. 3846 and S. 859, of which you are one of the cosponsors, wish to advise that our Recreation and Conservation Committee together with the Utah State Fish and Game Commission make the following recommendations as to amendments, which recommendations were concurred in at a meeting of the board of governors of the chamber of commerce held March 5:

1. We would recommend that distribution of funds to States as provided under the present formula be revised to reorganize more equitably the origin of the revenues, particularly the user fee, the extent of public areas from which user fees will be derived and the acreage of public lands and waters that are available for development.

2. The matching formula for funds distributed to States (sec. 5-c) be more realistic, at not less than 50-50 for both planning and acquisition and development. Also, the ability of States to provide matching funds should be taken into consideration. For example, such States as Utah, Idaho, Nevada, and Wyoming are in relatively poorer position to provide matching funds than California, and these States are the most backward in having State developed recreation areas. At present, the P-R and D-J wildlife development funds are on a matching basis of 75-percent Federal and 25-percent State.

3. The limitation in H.R. 3846, beginning on page 11, line 23, should be eliminated. No useful purpose is seen in this limitation.

We would appreciate your making a further analysis of these bills for the purpose of determining what amendments should be undertaken with respect to the distribution of funds, and also what steps can be taken with respect to the matching formula.

Sincerely,

GUS P. BACKMAN, *Secretary.*

PHOENIX, ARIZ., March 7, 1963.

Senator CLINTON P. ANDERSON,
Chairman, Interior and Insular Affairs Committee:

At the hearing before your committee on S. 859 the Western Association of Game & Fish Commissioners wishes to support general provisions and objectives but strongly recommends amendments to provide a matching formula of 75 percent to 25 percent similar to long-established Federal aid to fish and wildlife program, total allocations to Federal Government not to exceed 40 percent of all revenue, no limitation for development, maintenance allowance not to exceed 25 percent. Also recommend public hearings on user fee and thereafter establish such fee by congressional act. Thank you.

R. J. SMITH,
*President, Western Association of Game, Fish
& Conservation Commissioners.*

TAOS, N. MEX., March 6, 1963.

Senator CLINTON P. ANDERSON,
Senate Office Building, Washington, D.C.:

In regard to Senate bill 859, I feel that any fees collected on national forest land should be returned to said lands. Would appreciate your consideration.

TERRY MOYNIHAN.

SANTA FE, N. MEX., March 6, 1963.

Senator CLINTON P. ANDERSON,
Senate Office Building, Washington, D.C.:

In regards hearing Thursday on S. 859 would recommend all collections made on U.S. Forest Service lands be returned to Forest Service for further development as U.S. Forest Service has proved itself best qualified to do.

JIM COLEGROVE,
Santa Fe, New Mexico.

SILVER CITY, N. MEX., March 7, 1963.

Senator CLINTON P. ANDERSON,
Senate Office Building, Washington, D.C.:

Re S. 859, land and water conservation fund. Request fees from national forests recreational lands be returned for use in improving facilities; distribution on population basis palpably unfair this area.

CLYDE ELY.

SILVER CITY, N. MEX., March 7, 1963.

Senator CLINTON P. ANDERSON,
Senate Office Building, Washington, D.C.:

Regarding Senate bill 859 urge that all fees collected from national forest lands be retained for use by the national forests. Distribution on basis of population unfair to the Southwest and New Mexico especially.

CHANCE L. SNYDER.

ALBUQUERQUE, N. MEX., March 7, 1963.

Senator CLINTON ANDERSON,
*Interior and Insular Affairs Committee,
Washington, D.C.:*

We support S. 859 raising revenues for improvement of State and Federal recreation areas. Apparently a good portion of the revenue will come from Federal lands in the West, while the expenditures through the State apparently favors the East. In view of New Mexico's difficulties in appropriating matching funds, wouldn't it be fairer to allocate more expenditures directly through the Federal Government, probably in the areas where collected?

BERT LINDSEY,
Grass Roots Committee.

BIJOU, CALIF., March 6, 1963.

Senator ALAN BIBLE,
*Senate Office Building,
Washington, D.C.:*

We note that committee hearings have been scheduled for S. 859. The Lake Tahoe Council is concerned with the future acquisition of undeveloped lands within the Tahoe Basin for recreational purposes. We believe the provisions of S. 859 would greatly enhance present programs by the States of Nevada and California for the preservation of these open lands as a scenic and recreational resource of great national importance.

DEANE SEEGER,
Executive Director, Lake Tahoe Area Council.

THE NATIONAL CONFERENCE ON STATE PARKS,
Washington, D.C., February 26, 1963.

Senator HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.*

DEAR SENATOR JACKSON: The National Conference on State Parks, a citizens organization of nearly 1,000 members, including the State park directors of all the States, is very much interested in the enactment of S. 859, the Land and Water Conservation Fund Act of 1963.

While some of the States have made progress toward providing outdoor recreational facilities for their citizens, much remains to be done to meet the ever-increasing demands being levied by the public.

Financial assistance to the States for planning, acquisition and development of needed land and water areas and facilities is essential if the recommendations of the Outdoor Recreation Resources Review Commission are to be realized.

Sincerely yours,

DONALD B. ALEXANDER, *Executive Secretary.*

DETROIT, MICH., March 6, 1963.

Senator HENRY M. JACKSON,
Senate Office Building, Washington, D.C.:

American Fishing Tackle Manufacturing Association desires to be recorded as supporting the purposes of Senate bill 859, a bill to establish a land and water conservation fund. This association also desires to be recorded as endorsing the three changes in the current bill as recommended by Sport Fishing Institute.

A. J. BOEHM,
Executive Director,
American Fishing Tackle Manufacturers Association.

WESTERN FORESTRY & CONSERVATION ASSOCIATION,
Portland, Oreg., March 5, 1963.

HON. HENRY M. JACKSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SENATOR JACKSON: Western Forestry and Conservation Association is pleased to see the early attempt to implement the major recommendations of the Outdoor Recreation Resources Review Commission as represented by your S. 859 and other bills. The association adopted a position supported implementation of the major ORRRC recommendations at the 53d Western Forestry Conference in Seattle on December 14 last.

The proposed authorization and encouragement of recreation user fees on the public lands seems particularly well called for. As you know, the ORRRC report recommends recreation user fees "to recover a reasonable portion of the cost of administering, operating, and maintaining such (exclusive-use and specialized) facilities. However, this should not preclude the recovery of part or all of the capital costs in special cases where this is possible with reasonable fees."

The report also calls for the States to play the pivotal role in outdoor recreation and for the Federal Government to play the role of coordinator. The report, as we read it, neither calls for a crash program of acquisition nor earmarking user fees entirely for that purpose. It does emphasize that the problem of supply of outdoor recreation resources is not one of number of acres but of effective acres. It points out that public areas now designated for outdoor recreation include one-eighth of the total land area of the country; but, due to lack of access or location, much of this vast acreage is not available for general public recreation use.

The ORRRC report concludes:

"To a large degree, then, there has been a failure to use well what is already available. The problem, essentially, is one of management. This is not to minimize the needs to acquire additional public recreation sites nor the advisability of getting them sooner rather than later. Opening up unused parts of present sites, however, is just as imperative; indeed, without this kind of development, the United States could spend billions on new parks and still not keep up with the demand * * *.

"We are not running out of land. We are failing to use it effectively * * *. People want things where they live—and where most people live is in our growing metropolitan regions * * *. The first task is to provide recreation for the metropolitan regions * * * the metropolitan recreation problem cannot be solved somewhere else. Additional recreation land in the faraway places is needed, but the need is far more urgent close to home * * *."

In view of these major findings and recommendations of ORRRC, which are in line with the policies of this association, we must oppose any provision for earmarking recreation user fees exclusively or principally for acquisition. We request that suitable provision be made, as recommended by ORRRC, for the more urgent development, operation, and maintenance of recreation facilities on existing public sites; that whatever acquisition of new public sites is needed be left to local governments.

Furthermore, we urge, in line with the ORRRC report, that any acquisition be concentrated on obtaining recreation sites near large metropolitan centers. There is no need for additional national forest, national park or wildlife refuge lands for recreation. The vast acreages already in these national land systems are, for the most part, undeveloped and inaccessible for recreation. More land will not solve but aggravate this condition.

We believe these proposed changes can be made in presently contemplated legislation in such a way as to provide for a balanced program of acquisition, development, operation, and maintenance of outdoor recreation opportunities.

Finally, the association respectfully requests that these remarks be made a part of the record of the Senate Interior and Insular Affairs Committee's current hearings on S. 859 and similar bills.

Sincerely,

H. R. GLASCOCK, Jr.

MICHIGAN STATE UNIVERSITY,
East Lansing, April 6, 1963.

Senator HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: I would like to express the strong support of the more than 1,000 members of the Michigan Association for Health, Physical Education, and Recreation for bill S. 859 concerning land and water conservation.

Sincerely,

THELMA BISHOP,
President, Michigan Association for Health, Physical Education, and
Recreation.

MICHIGAN STATE UNIVERSITY,
East Lansing, April 1, 1963.

Senator HENRY JACKSON,
Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: I would like to indicate my support for the Land and Water Conservation Fund Act of 1963. I believe this aid to outdoor recreation is vital at this time.

I have assumed that the bill is now in your committee. Can you predict when it may be voted on in the Senate and House?

Sincerely,

LESLIE W. GYSEL,
Associate Professor, Fisheries and Wildlife.

THE AMERICAN FORESTRY ASSOCIATION,
Washington, D.C., February 21, 1963.

HON. CLINTON P. ANDERSON,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.

DEAR SENATOR ANDERSON: The American Forestry Association recognizes the ever-expanding recreational demands of the American people to be of a magnitude that can be met only by the coordinated action of all public agencies and private entrepreneurs. Therefore the association endorses in principle the proposal for Federal-State cooperation in S. 859—the land and water conservation fund. However, this association has firm convictions about certain sections of the bill, as follows:

1. *Source of funds*

The American Forestry Association recommends that appropriate charges be made for the use of public facilities on all classes of Federal land. The association is opposed, however, to the collection of general admission fees which, in effect, would place a premium on scenic vistas, wildlife, pure mountain air, and other God-given resources.

2. *Division of funds between land and water conservation fund and miscellaneous receipts*

The American Forestry Association believes that a predetermined percentage of total revenues should be credited to miscellaneous receipts in the U.S. Treasury as an offset for expenses incurred by the Army Corps of Engineers and the Bu-

reau of Reclamation for recreation or fish and wildlife enhancement at water development projects. The association recommends that the division of funds be predetermined and not left to the discretion of the President.

3. Allocation of funds

The American Forestry Association believes that provision of recreation facilities for the major segments of the population is primarily a State responsibility and that major emphasis should be placed upon State activities. Therefore the association recommends that funds be allocated 75 percent for State purposes and 25 percent for Federal purposes. The association is opposed to the provision in section 4(a) that would permit the President to alter this ratio at will.

4. Matching requirements, section 5(c)

The American Forestry Association endorses the proposed requirement of 50-50 matching for planning purposes and 30 percent Federal-70 percent State for acquisition or development projects.

5. Requirements for project approval, section 5(f)

This section contains a statement "No property acquired [by the State] or developed with assistance [of the Federal Government] under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses." The American Forestry Association recommends that this requirement be extended also to land acquired by the Federal Government; for example, to land acquired within national forests.

6. Allocation of moneys for Federal purposes, section 6(a)2, national forest systems

The American Forestry Association recommends that no major expansion of public commercial forest land ownership be undertaken. The association recognizes that in specific instances, it may be in the public interest to acquire parcels of land in order to protect existing recreation values. The association is agreeable to acquisition for such purposes. The association objects, however, to wholesale acquisition for general multiple-use purposes.

In this connection the American Forestry Association wishes to point out that the greatest single obstacle to efficient management is the intermingling of Federal lands under Forest Service and BLM administration, State lands and private land in our western regions. We recommend, earnestly, that steps be taken to work out a more orderly pattern of ownership and administration by means of land exchange. This basic step would greatly enhance the recreational value of lands already in public ownership.

Finally, the American Forestry Association has major reservations about the appropriateness of Federal acquisition of vast acreages at a time when it still is giving only lipservice to proper management of the Taylor grazing lands. Surveys by the Department of the Interior indicate that "50 percent of Federal rangelands are in a state of severe to critical erosion, 32 percent are eroding moderately, and only 18 percent are in a condition of slight to no erosion." This does not speak well of 150 years of Federal stewardship of the public domain.

The American Forestry Association believes that the Federal Government has a moral obligation to prove that it can and will administer properly the lands entrusted to its custody. If the Government will acknowledge this obligation by its deeds, we will take a more charitable view toward proposed acquisitions for recreation purposes.

Sincerely yours,

KENNETH B. POMEROY, *Chief Forester.*

STATEMENT OF THE NATIONAL ASSOCIATION OF MANUFACTURERS

This statement is submitted on behalf of the National Association of Manufacturers, a voluntary association of about 17,000 members, over 80 percent of which are small business enterprises.

We appreciate the opportunity to comment on S. 859, which would establish a land and water conservation fund. This proposal would involve large sums of money and large areas of land; therefore, as manufacturers and taxpayers, our membership has a natural and extensive interest in the issues involved. In addition, our Conservation and Management of Natural Resources Committee gives continuing attention to problems involving outdoor recreation, including

the achievement of multiple uses of privately owned land so as to attain both economic and recreational benefits.

We believe that recreational use of Federal lands has become increasingly important, and that Federal land management agencies should make long-range plans for recreational use of their lands. However, we believe that a land and water conservation fund such as is proposed would be both a costly proposition and also an improper method of dealing with the subject matter.

In brief, the bill would create in perpetuity a special account in the Treasury of the United States and a land and water conservation fund. Under this bill, all proceeds from "entrance, admission, and other recreation user fees or charges" collected by various Federal agencies; all proceeds from "any disposal of surplus real property and related personal property"; and "The amounts specified in section 209(f) (5) of the Highway Revenue Act of 1956 (relating to special motor fuels and gasoline used in motorboats)" would be set aside in a separate account in the Treasury of the United States.

From time to time, the President would split up the money in the separate account. He would cause such moneys as he deemed appropriate to be transferred to the land and water conservation fund and such moneys as he deemed appropriate to be credited to miscellaneous receipts of the Treasury.

It is contemplated that the Congress would make appropriations from the land and water conservation fund, although no specific amount is authorized under the terms of the bill. It is provided that such appropriations may be made without fiscal-year limitation.

Out of whatever amount the Congress might appropriate, the President would again split up the money as between Federal purposes and State purposes. He could make the Federal purposes share as low as 40 percent or as high as 55 percent of the appropriation.

As to the Federal purposes share, the President would again split up the money. This time, he would split it up four ways:

1. To acquire lands, waters, or interests in lands or waters within the boundaries of national parks and Interior Department recreational areas.
2. To acquire lands, waters, or interests in lands or waters within national forests and Agriculture Department recreational areas.
3. To acquire lands, waters, or interests in lands or waters for the purposes of any national area that may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.
4. To acquire lands, waters, or interests in lands or waters for public recreation areas adjacent to national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Secretary of the Interior for fish and wildlife purposes.

Presumably, the President would also split up the moneys among the individual units within these four divisions in such amounts as he so desired.

As to the "State purposes" share allocated by the President out of appropriations from the land and water conservation fund, the Secretary of the Interior would pay it out to the States for outdoor recreation planning, development, and land and water acquisition, "subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this act."

This brief outline of the provisions of the bill make it very apparent that it would cause the Congress to surrender a great deal of its power over Federal expenditures. Its power would be limited to making lump-sum appropriations from the land and water conservation fund. The size of the fund, the purposes for which it would be spent, and the determination of amounts for each purpose would all be under the control of the Executive. Under such a scheme, it is obvious that the Congress would not be exercising anywhere near the full extent of its legislative responsibilities in a representative democracy.

In addition, section 4(b) of the bill authorizes the appropriation of such amounts as to average not more than \$60 million for each fiscal year for a total of 8 years beginning with the third full fiscal year in which the fund is in operation. These appropriations would be repaid without interest beginning at the end of the 11th fiscal year of operation of the fund, but it is provided that such advance appropriations shall be available for Federal and State purposes in the same manner and proportions as other moneys appropriated from the fund. Thus, this \$480 million would also be subjected to the allocations and expenditures determined by the executive branch.

Since the Appropriations Committee of the Congress would be limited to carte blanche appropriations of lump sums of money which the President would divide up among specific projects, we believe this would be a serious abdication of congressional responsibility and, in reality, a bypass of the appropriations procedure. We submit it is the responsibility of the Congress and its Appropriations Committees to allocate Federal funds among various Federal purposes. A transfer of this legislative power to the President would completely reverse constitutional responsibilities.

In addition, the creation of an earmarked fund would mean that the purposes for which this money could be spent would not be required to compete with other Federal purposes for an allocation of overall Federal revenues. In general, it should be the responsibility of the Congress to weigh all Federal objectives and make the legislative decisions as to how much money should be allocated in each fiscal year among all the Federal objectives. The creation of an earmarked fund for this purpose would further hamstring the Congress in its efforts to control the Federal budget and should not be approved by this committee.

The bill does not make clear just who would be the custodian of the land and water conservation fund. Section 3(a) provides that the Secretary of the Interior shall keep such accounts as are necessary for these purposes. However, this section does not name him as custodian and does not state whether the fund shall be located in the Treasury or elsewhere. No duty is imposed on anyone to manage or invest the surplus moneys of the fund. Under section 4(b), the advance appropriations, possibly totaling \$480 million, would be repaid to the Treasury without interest.

By contrast, it is noted that the Highway Revenue Act of 1956, in creating the highway trust fund, provided that it would be established in the Treasury to hold the trust fund; that it would be the duty of the Secretary of the Treasury to invest the portion of the trust fund not needed for current withdrawals; that interest would be paid on advance appropriations to the trust fund; and that it would be the duty of the Secretary of the Treasury to make an annual report to the Congress on the financial conditions and the results of the operations of the trust fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter up to and including the fiscal year ending June 30, 1973. There are no analogous provisions in the bill at hand.

However, the addition of such provisions would not remove our objections to the bill as a whole for the reasons set forth hereinafter.

In connection with the grant-in-aid provisions of the bill, it is noted that payments would be made to the States by the Secretary of the Interior subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this act; that the payments would be apportioned among the States by the Secretary, whose determination shall be final; that one-fifth of the payments plus any unobligated or unpaid amounts from prior years would be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this act; that the State share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary; that a comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance and that the plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this act; that the plan must contain the name of the agency authorized to deal with the Secretary, a program for the implementation of the plan, and other necessary information, as may be determined by the Secretary; that only planning, acquisition, or development projects approved by the Secretary would receive any payments; that the properties would have to be operated and maintained by acceptable standards; that the property acquired or developed could not be used for other than public outdoor recreation purposes without the approval of the Secretary who would grant his approval only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least fair market value and of reasonably equivalent usefulness and location; and that no payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information as may be reasonably necessary to enable the Secretary to perform his duties under this act, and (2) provide such fiscal control and fund accounting procedures as may be nec-

essary to assure proper disbursement and accounting for Federal funds paid to the State under this act.

These provisions would obviously make the Secretary of the Interior the recreation czar of the entire country. This becomes all the more clear when these provisions are read in connection with S. 20, which authorizes the Secretary to draw up "a comprehensive nationwide outdoor recreation plan," including "the desirable actions to be taken at each level of government and by private interests."

Further, these provisions are in sharp contrast to the philosophy expressed in the resolution adopted by the 1961 Governor's Conference in Honolulu, in which a strong protest was made against "The tendency of Federal agencies to dictate the organizational form and structure through which the States carry out federally supported programs." The action of the Governor's Conference, entitled "Resolution on Federal Interference in State Government Organization," called for an investigation of "the matter of Federal statutory and administrative requirements dealing with State organization under the various Federal grant-in-aid programs." It recited that "Federal control is exercised by the threat, express or implied, that, if any State agency does not conform to the recommendations of the Federal agency, Federal aid and assistance shall be withdrawn and terminated * * *"

The threat is clearly expressed in S. 859 in such phrases as "Payments may be made * * * subject to such terms and conditions as he considers appropriate," "one-fifth shall be apportioned * * * in such amounts as in his judgment will best accomplish the purpose of the act," "satisfactory to the Secretary," "in the judgment of the Secretary," "as may be determined by the Secretary," "approved by him," "acceptable standards," "the approval of the Secretary," and "as he deems necessary." Otherwise, "No payment shall be made to any State * * *"

We submit that the Congress should not enact legislation which could be used to coerce the States into a nationalized pattern of recreation policy. authorization laws. For example, section 9 of the act of August 7, 1961, which established the Cape Cod National Seashore, provides that "no more than \$16 million shall be appropriated for the acquisition of land and waters and improvements thereon, and interests therein, and incidental costs thereto * * *". Would provisions of the bill in fact override the dollar limitation previously specified in the act creating the Cape Cod National Seashore? This very uncertain relationship between the operations of the land and water conservation fund and previous authorization acts is an additional reason why the bill should not be reported.

Taking a closer look at the bill, it is noted that it would amend the Internal Revenue Code of 1954; the Highway Revenue Act of 1956 (which appropriated into the highway trust fund amounts equivalent to certain percentages of certain taxes received in the Treasury of the United States before July 1, 1972); the act of March 7, 1928, and the act of March 4, 1929, relating to national parks; the act of December 24, 1944, relating to reservoir areas under the control of the Department of the Army; any provisions of unspecified laws requiring that entrance, admission, and other recreation user fees or charges "be credited to miscellaneous receipts of the Treasury;" and all other provisions of unspecified laws "that prohibit the collection of entrance, admission, or other recreation user fees or charges or that restrict the expenditure of funds if such fees or charges are collected."

Thus, it is seen that the bill is actually a quite complex measure intermingling subjects of interest to, and under the jurisdiction of, the Senate Finance Committee, the Senate Commerce Committee, the Senate Agriculture and Forestry Committee, the Senate Public Works Committee, and the Senate Appropriations Committee. To the extent that it is a revenue-raising measure, it should more appropriately originate in the House of Representatives in accordance with constitutional requirement.

The relationship of the proposed Land and Water Conservation Fund Act of 1963 to existing statutes is obscure. There already is an act of Congress which authorizes purchase of additional land to be added to the national forests and there already is an act of Congress which says that the Secretary of Agriculture shall administer the national forests for multiple use and sustained yield of the several products and services obtained therefrom. The former is the Weeks Act of March 1, 1911, and the latter is the Multiple Use Act of June 12, 1960.

One of the purposes of the bill is stated to be "assuring the availability * * * of land and water based outdoor recreation opportunities * * * by * * * providing funds for Federal acquisition of certain land and water areas." However, section 6 of the bill provides that "Moneys * * * shall be allocated by the President * * * for the acquisition of land, waters, or interests in land or waters * * *. Within existing or authorized areas of the national forest system, *including* areas now or hereafter authorized to be administered by the Secretary of Agriculture for outdoor recreation purposes." [Emphasis added.]

This raises questions as to whether the bill authorizes the acquisition of vast areas to be administered solely for outdoor recreation purposes within the national forests contrary to the Multiple Use Act, or whether the bill authorizes the acquisition of vast areas to be added to the national forests purely under the pretext of outdoor recreation? The answers are not clear at all under the language of the bill.

The present tremendous extent of land-holding by the Federal Government should militate against a broad authorization to acquire additional land by the Federal Government. As of June 30, 1960, the General Services Administration reported that the Federal Government owns 771 million acres of land in the United States, or 33.9 percent of the total land area in the Nation. On that date, the Federal Government owned 99.7 percent of Alaska, 86.9 percent of Nevada, 69.1 percent of Utah, 64.8 percent of Idaho, 51.1 percent of Oregon, 48.4 percent of Wyoming, 44.9 percent of California, 44.7 percent of Arizona, 36 percent of Colorado, 34.9 percent of New Mexico, 29.7 percent of Montana, and 29.5 percent of the State of Washington. Of the 771 million acres owned by the Federal Government, some 725 million of these acres are in the 11 Western States and Alaska, representing some 65 percent of the total area of these 12 States. It is evident that, if the proper encouragement were given so that the major portions of these vast areas was acquired by income-producing, taxpaying ownership, this would be a monumental contribution to the economic growth of this country. We believe that practical means should be developed for the sale, lease, or exchange of Federal lands for private use. Any specific area of land acquired under this program will be almost irrevocably committed to Federal ownership on a non-taxpaying basis. The serious problems involved in the excessive ownership of land by the Federal Government compel the conclusion that this kind of broad-gage authorization for additional land acquisition by the Federal Government should be rejected.

The Report of the Outdoor Recreation Resources Review Commission has pointed out that the major problem in providing adequate outdoor recreation opportunities is to provide these opportunities near the areas where most of the people live. The report said that over a quarter-billion acres are publicly designated outdoor areas, but that either the location of the land, or restrictive management policies, or both, greatly reduce the effectiveness of the land for recreation use by the bulk of the population. The conclusion was drawn that the problem is not one of quantity of acres but of effective use of the many acres presently available. It is highly questionable whether the provisions of the bill authorizing still more acquisitions within the great land masses already owned by the Federal Government would really contribute to the solution of the basic problems.

The ORRRC Report recommended that Federal high-density recreation areas which serve primarily local recreation needs should be placed under State or local government control. It was also recommended that surplus Federal lands suitable for outdoor recreation purposes should be made available to State and local governments at no cost, with appropriate reversion clauses. In regard to acquisition and development of land for recreation purposes, the report's emphasis is on action by the States. At page 6, the report says that "The States should play a pivotal role in making outdoor recreation opportunities available by—1. Acquisition of land * * *." At page 139, the report says that the States should undertake a program of land acquisition and development as scheduled in the State outdoor recreation plan. It is obvious that the Federal program embodied in the pending bill does not comport with the approach recommended by the Outdoor Recreation Resources Review Commission and therefore should not be approved.

We called attention to these facts in a statement filed with this committee in 1962; the mere fact that the proposal has been altered to make 45 to 60 percent of the moneys available to the States under Federal criteria does not render our objections any less valid. Reallocation and more effective man-

agement of presently available lands could tremendously increase recreational opportunities without vast expenditures to remove still more land from local tax rolls.

Section 4(c) would provide that, beginning with the fiscal year 1971, the fund would begin repaying the appropriated money to the Treasury of moneys received by the fund from certain taxes and fees. The repayment would be without interest.

We believe that a great issue of fiscal responsibility is raised by these provisions. As the Appropriations Committee of the House of Representatives pointed out recently, the Federal Government has lived beyond its income for 26 out of 32 years; the value of the dollar is only half that of 1939; the cost-of-living index is at an alltime high; our gold holdings have dropped by more than \$6 billion; and, in the face of the highest tax rates in history, due largely to nondefense spending, deficits persist. We might also point out that the national debt limit was recently raised to a record high of \$308 billion and proposals are pending to raise it even higher; the Federal Government has spent more than \$1¼ trillion in the past 30 years; and the debt of the Federal Government exceeds the combined debts of all 50 States and all nations of the world. Under such circumstances, we submit that a proposal to have the Federal Government devote untold billions for recreational purposes cannot be justified.

The lack of justification is emphasized by the fact that this country already possesses a tremendous physical plant for recreation purposes and spends billions of dollars each year in its use. The Outdoor Recreation Resources Review Commission has stated that "Public areas designated for outdoor recreation include one-eighth of the total land of the country" and that "millions of other acres, private as well as public, are also used for recreation." Surely, in the light of these facts and in the light of the fiscal condition of the Federal Government, a vast program of land acquisition for recreational purposes should not be carried out.

Section 2(b) of S. 859 provides that proceeds from any disposal of surplus real property and related personal property shall be set aside in a separate account in the Treasury of the United States. It is difficult to estimate just how much money will be paid into this separate account or how much of it the President will decide, under section 3, to transfer to the land and water conservation fund. The General Services Administration, in its 1962 annual report, states that in fiscal year 1962 it sold 260 real properties originally costing \$442 million for a total sales price of \$78.9 million. Thus, it appears that revenues from this source could total hundreds of millions of dollars over a period of not too many years.

It is not clear what would be included under the term of "related personal property." Section 2(b) is actually an amendment of the Federal Property and Administrative Services Act of 1949. This act contains definitions of "property," "excess property," and "surplus property," but does not define "related personal property," a term unknown at common law. The 1962 General Services Administration Annual Report at page 17 shows that all executive agencies sold usable surplus personal property originally costing \$1 billion for a total sales price of \$112.6 million. What portion of these proceeds came from "related personal property" is conjectural.

It is ironic to note that, in connection with real property, the 1962 General Services Administration Annual Report states at page 12 that:

"GSA further accelerated the disposal of surplus real property in order to place such property in the civilian economy, add the property to local tax rolls, and return sales proceeds to the Federal Treasury."

Every one of these objectives would be frustrated or negated if the proceeds were devoted to buying up other lands for Federal Government ownership.

The Federal Property and Administrative Services Act of 1949 was a laudable piece of legislation, an outgrowth of recommendations of the Commission for the Organization of the Executive Branch. It will be unfortunate if its purpose to achieve economy in Government is distorted so as to make possible a great expansion of presently excessive governmental landownership. In addition, there appears to be no logically valid reason why proceeds from disposal of surplus property should be earmarked for recreational purposes.

In conclusion, we respectfully submit that the bill should not be reported for the following reasons:

- (1) The creation of an earmarked fund for this purpose would constitute an unnecessary abdication of the legislative responsibility of the Congress to allocate Federal revenues among Federal objectives.

(2) The granting of the power to the President to allocate expenditures from the land conservation fund among innumerable Federal projects would be a further abdication of the constitutional rights and responsibilities of the Congress and, in reality, another back-door spending approach and bypass of the appropriations procedure.

(3) The present excessive governmental ownership of land precludes any justification for a broad gage authorization of further governmental land acquisition.

(4) The relationship between the operations of a land conservation fund and previous authorization acts would be very uncertain.

(5) The blanket authorization for a total appropriation of \$480 million plus the revenues from certain sources in perpetuity for the specified purposes is extremely excessive in the light of the present fiscal problems of the Federal Government.

(6) A large-scale program of land acquisition by the Federal Government for recreation purposes is contrary to the report of the Outdoor Recreation Resources Review Commission which recommended that the role of land acquisition be carried out by the States. The alteration of the proposal so as to allocate 45 to 60 percent of the moneys to the States does not affect the validity of this point.

We greatly appreciate this opportunity to submit our views to this distinguished committee.

BATON ROUGE, LA., April 11, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

Urge support of S. 859, land conservation fund bill.

Mrs. E. D. HORNBAKER,
President, Louisiana Recreation and Parks Association.

AUSTIN, TEX., April 12, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

Please support Senate Bill 859 on land conservation fund. We in the field of education feel that this is an urgent need at this time, your consideration and support for this bill will be greatly appreciated.

C. J. ALDERSON,
Professor Emeritus, University of Texas.

BLOOMINGTON, IND., April 11, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

Strongly urge support of H.R. 3846, land conservation fund bill. Land urgently needed to provide for growing population.

PROFESSOR REYNOLD E. CARLSON,
Chairman, Department of Recreation, Indiana University.

WINSTON-SALEM, N.C., April 11, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

Your support of S. 859, land conservation fund bill, urgently requested.

TAYLOR DODSON,
Professor, Wake Forest College.

MORGANTOWN, W. VA., April 11, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

I urge you to support S. 859.

DUNCAN DEAN, Chairman,
West Virginia Youth Fitness Council.

BATON ROUGE, LA., April 11, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

Urge support of S. 859, land conservation fund.

JACK PIZZANO, President,
Louisiana Association for Health, Physical Education and Recreation;
Director, Health and Physical Education, Orleans Parish Schools, New Orleans.

MARTINSVILLE, IND., April 11, 1963.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Washington, D.C.

American Camping Association upon the recommendation of its committee on conservation and on behalf of its 7,000 members representing 20 million campers, urge the passage of Senate bill S. 859, the land conservation fund bill, as a forward step in conserving available lands for future recreational purposes. Unless an aggressive attitude is taken and provisions for implementing are adopted available lands for people purposes will be lost.

STANLEY J. MICHAELS,
President, American Camping Association.

THE CHARLES M. GRAVES ORGANIZATION,
Atlanta, Ga., April 11, 1963.

Re: Land and water conservation fund, bill S. 859.

Hon. HENRY M. JACKSON,
Chairman of Senate Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: Bill S. 859 providing for the establishment of land and water conservation fund, which you have sponsored, is a most essential and needed piece of legislation. This country greatly needs, and needs now, the aid which would be provided through this bill.

Provisions for planning assistance will not only give essential aid to the local communities in the proper blueprinting of their new parks but will mean the difference between their having parks and not having them. The aid provided for acquisition assistance will also be of great benefit to the communities and State. Every day open land is becoming more scarce and it is essential that communities and States acquire more land for park, conservation, and wild-life areas without delay, or it may never be available. Industries and residential developments are fast absorbing available lands, particularly in the more urban sections, and immediate action must be taken if any of these areas are to be preserved for the enjoyment and benefit of our citizens.

It is commendable that the bill includes the provision for admission fees to Federal areas. This will greatly encourage private business and development in this field.

As a longtime enthusiast of outdoor recreation and conservation, I want to express my personal thanks to you for the important aid you are giving this program. Your continued efforts in doing everything possible to have this bill approved by Congress will be greatly appreciated.

Yours very truly,

CHARLES M. GRAVES.

GEORGIA

STATE OF GEORGIA EXECUTIVE DEPARTMENT,
Atlanta, Ga., April 11, 1963.

HON. STEWART L. UDALL,
Secretary, Department of the Interior, Washington, D.C.

MY DEAR SECRETARY UDALL: Please refer to my letter of March 29 in response to your letter of March 26 concerning S. 859 and H.R. 1762 to establish a land and water conservation fund to assist the States and Federal agencies in meeting recreation demands.

In this regard, I enclose herewith a copy of a letter forwarded to me by the Honorable Horace G. Caldwell, director of the department of State parks, in which he has expressed his approval of these bills. I concur in Director Caldwell's opinion regarding this legislation.

With my highest esteem, I am,
 Sincerely,

CARL E. SANDERS, *Governor.*

GEORGIA DEPARTMENT OF STATE PARKS,
Atlanta, Ga., April 10, 1963.

HON. CARL E. SANDERS,
*Governor of Georgia,
 State Capitol, Atlanta, Ga.*

DEAR GOVERNOR SANDERS: Reference is made to your letter of March 29, 1963, in which you requested that I review and comment on S. 859 and H.R. 1762, which are now pending before the Congress of the United States.

The provisions of Senate bill 859 provides for Federal aid to the States for an outdoor recreation planning program on a 50-50 basis. This bill also provides for Federal assistance for land acquisition and development of facilities on a 30-70 basis with the State government providing 70 percent of the cost of land acquisition for the development of facilities.

The matter to be resolved is whether or not the State of Georgia will have sufficient moneys available to participate in the planning and development of an outdoor recreation program as provided for in this bill. I am confident that the Federal Government will have very stringent rules and regulations as to the type of planning and construction that the States will be able to do under this bill.

I believe that Georgia's recreational facilities must be greatly expanded during the next decade if they are to adequately meet the increased demands that will be generated. Therefore, due to population increases, increased leisure time and tourist travel, Georgia is especially fortunate in having an amount of undeveloped resources for recreation. This department now operates with approximately 36,000 acres of State owned, leased, or licensed property which, in the main, is only partially developed.

Further, the department has available an additional 6,000 acres that is not operated due to the fact that it is undeveloped.

At present, we are requesting \$100,000 under the technical services of the Area Redevelopment Act for the purpose of development of a long-range master plan for each of the State parks.

S. 859 appears to offer an excellent means by which additional moneys can be obtained in carrying out future planning and acquisition of additional properties for outdoor recreation purposes.

Therefore, in view of future benefits accruing to the State, I recommend that we endorse S. 859 with the thought in mind of perhaps obtaining funds through this source should this bill be passed in Congress.

In reviewing House Resolution 1762 which provides for the coordination and development of an effective State program relating to outdoor recreation and for other purposes, I certainly feel that a division within the Department of the Interior should be established for the purpose of setting up a nationwide plan for the technical assistance, research and education and inner department cooperation relating to outdoor recreation.

I would like to endorse this bill and feel that it would be very beneficial to the outdoor recreation movement not only in the State of Georgia but also on a nationwide basis.

Should you need additional information regarding this matter, please advise and I will be happy to assist in any way possible.

Sincerely yours,

HORACE G. CALDWELL, *Director.*

TEXAS

TEXAS STATE PARKS BOARD,
Austin, April 12, 1963.

HON. HENRY JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in reference to S. 859, land and water conservation fund bill, now before your Committee on Interior and Insular Affairs. May I point out, my views and opinions do not necessarily reflect those of the Texas State Parks Board, since I have not had the opportunity to present the matter to our board in an official meeting.

I concur in the provisions of the bill with the following exceptions:

1. A car sticker or entrance permit should not be required for visitors to areas under lease to State park agencies or other State agencies.
2. On page 9, starting with line 3, concerning apportionments, I do not believe the Secretary should have the authority to apportion any amount that has not been paid or obligated during the fiscal year in which notification is given, and for 2 fiscal years thereafter. The amounts apportioned to each State should be available without a time factor for the duration of the act.

Your consideration of the above recommendations is appreciated.

Sincerely yours,

BILL M. COLLINS, *Executive Director.*

