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Interviewee: Robert Wolf
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Summary: Wolf discusses the Multiple Use Act of 1960. Among the points included are the history, process of including definitions, wilderness versus multiple use, legislative process, significance of phrases, definitions after passage, and applications of the act.

Dan Hall: We'll be talking with Rob Wolf. Alan McQuillan will be doing the interviewing. This is Dan Hall.

Alan McQuillan: Well, when was the first time you heard of the Multiple Use Bill?

Robert Wolf: Well, the first time I heard of it — the term has been around. It existed in the '40s; it existed in the '30s. I'd heard about it in college. Foresters used the term. In terms of legislation, the first time I heard of it, in terms of a personal sense, was in 1956 when Senator Humphrey introduced a multiple-use bill. It was the same year he introduced the Wilderness Bill. The Forest Service had a split opinion on whether they needed a multiple-use bill. The chief was opposed to it. Dick McArdle told me after he retired that for a long period he was opposed to the idea. But others in the Forest Service who favored it who saw an oncoming push and felt that a bill, which made it clear that they could manage for all the resources and that they had the authority to make the allocations, was desirable. There was a growing concern about the restiveness within the conservation community over the small shrinkages of wilderness areas that was occurring, and those were administratively created wilderness areas. The Wilderness Society and other conservation groups were getting concerned that the Forest Service was shrinking them. They could do it administratively and without giving a reason or a response to anybody. The other thing the Forest Service was concerned about was that it had tried to get some recreation authority to try to get 10 percent of the receipts set aside. That got nowhere. They were trying various techniques to balance off the uses and the contenders for the uses, but the Chief at the time had not reached the conclusion that a multiple use bill was desirable. And Milt Bryan, who worked for the Forest Service, to use a term, was peddling drafts of multiple use bills around the Hill. I don't know whether he was doing it with the chief's consent, but I don't think he was.

But this is not an uncommon thing for agencies to do, or [for] people in agencies. Congressman Staggers was introducing these regularly. They got Humphrey to look at it. The term is a nice term. It's not one that scares you even if you don't know what the hell it means. So Humphrey introduced the bill. My recollection was that he talked with me about it, and we also included something else he was interested in, and that was a provision for a multiple use council, which would be made up of people who were involved in and concerned about the forest. Again, you know, given Humphrey's Ag background and the Soil Conservation Service Committees and the
Agricultural Conservation and Stabilization Service Committees and the agricultural sector. The Soil Conservation Service and the Agricultural Conservation and Stabilization Service both had local committees of citizens who helped determine the ways in which policies and programs were applied. So he had something in there on that as I recall.

The bill went in and the administration sent up a report in opposition to it. So Humphrey dropped it at that point, although he kept on with the Wilderness Bill, and so in 1960, in February, the administration finally sent up a multiple-use bill. Actually, I think, in '57, they had countered with a proposal on wilderness that wilderness should be managed under multiple-use concepts, which didn't go anywhere. But they were trying to vitiate the Wilderness Bill. So when you think about those events and that time frame and look at it from the standpoint of people in Congress who were actively interested in the Wilderness Bill, much of what the Forest Service was doing was jockeying people because they were trying to cut the ground out from under a wilderness bill. The catch-phrase that was used by us foresters was "dominant-use" versus "multiple use," "single use" versus "multiple use". While we defined neither, or none of the three, the implication was that dominant or single use restricted you to doing one thing whereas multiple use somehow or other permitted you to do all the good things.

But in reality we didn't, under either approach, we didn't have any control over the water coming off the land except to the extent we manipulated the vegetation. We didn't have any control over the wildlife. The extent we had it was minute. The animals did what they wanted. The fish swam where they wanted, except to the extent that Man screwed up the landscape. But the Forest Service felt that if it had general authority that was not specific, that enumerated what it was to do, then it could reconcile these differences in a way that it thought would best serve the public interest. And so the Multiple Use Bill came up. The terms weren't defined. It was a jumble of uses and resources, as you know when you read the act. And they said it wasn't going to cost anything, but its enactment would be of great value which again you're in 1960, an election is coming up and you're dealing with people who have political antennae, and they're suspicious because for eight years of this administration they have been fighting over developmental conservation, getting things done that would enhance the resources in the context of those times with solid opposition from the administration, programs for an expanded recreation. Even the timber program, administration wasn't proceeding as vigorously as the timber people wanted. So they were suspicious of this thing that wasn't going to cost anything but yet was going to be so great.

AM: Why was the opposition from the administration so solid?

RW: On conservation?

AM: You say they opposed the 1956 bill.

RW: Well, I never asked them why they opposed it. I think in the Bureau of the Budget I think the feeling was that the Forest Service was trying to make an end run that would enhance their
budgets. The Park Service and Interior opposed it. See, when a bill would come forward, the other departments had a chance to comment. The Park Service opposed it because they thought the Forest Service was trying to set the stage so that they couldn't make any more raids on the forest to create parks. We're dealing with turf battles, internal turf battles. The threats the Forest Service faced to losing part of its empire were real. These weren't just speculative.

AM: Were the Forest Service ... (I don't know if this was a major factor, maybe a nonentity) but apparently in 1952 the case of U.S. versus Perko said that recreation was just an incidental use, incidental to the main purpose of the national forests.

RW: The Perko Case again helped condition this. That was that Minnesota case – the Boundary Waters Canoe Area – and that helped condition Humphrey's thinking because it was in his State. In Humphrey's view, again, recreation was a key and principal use of the national forest regardless of the absence of the phrase in the law. But anyway, in 1960 when the bill came up, Milt Bryan ran around getting sponsors. In the House you had to get independent sponsors; you couldn't have multiple cosponsors on a single bill. He must have gotten 40 different members to introduce the Multiple Use Bill in the House, which made it appear as though it had a head of steam. In the Senate, the chairman introduced it as an administration measure and that was that.

But then a funny little thing happened. There was a congressman from Northern California First District, Clem Miller his name was. He had a lot of national forest in his district. He was a lawyer. Had a lot of interest in public lands, natural resources, and he was distantly related, as I recall, through marriage, to Senator Hart, through his wife, who was from Michigan, Democratic Senator Philip Hart. Miller looked at this Multiple Use Bill and just thought it was an abomination. The jumble of uses and resources just seemed to his lawyer's way of thinking to make no sense. First you would set out the resources, then you would enumerate the uses. The two key terms, Multiple Use and Sustained Yield, were not defined, and his view was that any piece of legislation should define the terms. I got to know Clem Miller by some accident. It was on a much smaller world then ... you got to know people. Clem asked me over to talk about this and he set to work redrafting his version of the Multiple Use Bill which incorporated the thoughts I just set forth, and he sent them to the chief of the Forest Service later. He got no response. Then he called Senator Hart in Michigan and told him about his concerns. Hart was on the Agriculture Committee in the Senate. Hart then apparently decided to meet with someone from the Forest Service to discuss the bill, just find out what it's all about. He had no preconceived thoughts one way or the other. And Dr. Crafts, the assistant chief in charge of legislation, Edward Crafts, came up to meet with Hart and Bill Welsh, Hart's administrative assistant. I was doing some work also for Hart who had two bills he was working on in Northern Michigan on parks and recreation areas involving national forest land, Pictured Rocks and Sleeping Bear. Senator Anderson called me and said that Senator Hart had called him and asked if he would arrange to have me come over and talk to Hart. Hart knew I worked for the Interior Committee and though Murray was the
chairman, Hart and Anderson had a relationship, and I guess he called Anderson. Anyway, I got over there to Hart's office and he said to me, "Bob, I just had a very peculiar meeting with Dr. Crafts of the Forest Service. He told me that, in effect, that as a freshman senator I couldn't amend an administration bill. If I can't amend the bill, I don't see much use in my being here in the United States Senate."

Just by way of background, Hart was a lawyer, and during the war he'd been a colonel wounded on the beaches of Normandy, he held some positions which had put not only his life in danger but had been in command of significant numbers of people. There's a Senate office building now named for him because he was also such a fine guy. Hart never raised his voice about anything, but I could just tell that Senator Hart was not happy with this idea. So we talked about it. He wanted me to draft definitions of multiple use and sustained yield. He said he was going to do that; the bill wasn't going anywhere without it. I recall suggesting to him that he ought to tell Senator Ellender what his concerns or reasons were so that he'd be well advised in advance, and he did. I was there when he called Senator Ellender; Ellender readily agreed to hold the bill until it had definitions in it.

I went back to draft the definitions, worked at it, looked at the Forest Service report, and I went back to see Senator Hart and I told him that I thought he'd be better off if the Forest Service drafted the definitions. I said, "These are hard terms to define, but probably, no matter what I draft," I said, "and I will draft it if you want, Forest Service is going to argue with it. You might find it better, if you don't like what they draft to argue with them, rather than having them, arguing with you." He thought that was a good idea, and so he told Ellender that he thought the Forest Service should draft definitions of these two key terms and that's the way things stood in the Senate. In the framework of the times, the Senate wouldn't act on the bill until the House did. It was an administration measure; no great priority, no great push. Forest Service lobby wasn't going to move anything.

The House, however, decided to hold hearings and did, and they had quite a lineup of witnesses. The Senate never held a hearing. The Forest Products Industry, which was then the National Lumber Manufacturers Association, came in with a substitute bill. I mean a total substitute bill. It wouldn't mention the term "sustained yield" and it would direct that the national forests' all uses were equal except timber was more equal than others, and I'm putting it in blunt terms, not in the refined language, but that's what it meant.

AM: Which bill was this?

RW: National Lumber Manufacturers Association, now AF and DA. Their witness was Ralph Hodges, who just recently retired. And it further said that the national forests, to the extent practicable, would be operated to produce a return to the treasury. The word "return" has a common economic meaning, and that's profit. Hodges in his testimony pointed out that 95 percent of the receipts that are received by the Forest Service came from timber and that the Forest Service had lost $40 million in the last year, in their view. They believed that the forests
could be operated at a profit. So there was their substitute bill. All the other conservation organizations were in general support of the idea of multiple use without being specific as to what it meant, how it would operate, how it would play out. Joe Penfold with the Isaac Walton League and Ira Gabrielson, Pink Gutermuth, they were all in the hearings. These were the real key guys in the conservation movement plus. Spencer Smith of the Citizens Committee on Natural Resources. I remember being called over to Lee Metcalf’s office, who was then in the House, and Lee was very close to these guys, and they were concerned about the timber industry trying to make timber number one. I drafted a letter for Lee that went to the chairman of the subcommittee, George Grant. It was a fairly stiff letter pointing out that he was totally opposed to the NLMA bill. His experience had been that the timber industry had never done anything that was favorable to forestry and these were Lee’s views [chuckle], and he was a guy with strong views, too. It was my recollection that he also told George Grant that between him and John Sayler, who was a ranking Republican in the House, and he and Metcalf were teammates on these issues, they were concerned about this timber industry effort, which meant that if you bring a bill to the floor with any of their language in it you’re in for a fight. Here’s a Democratic Congress and a Republican President with a Republican bill of no real significance to the committee, seemingly innocuous, you don’t want to have a floor fight on it. Let’s see what they can work out.

In the meanwhile, the word has come over from the Senate to the staff of the House committee that Phil Hart has a hold on the bill too because there are a lack of definitions. That word gets to Ed Craft fairly quickly as had been intended, so Craft sets to work in the House trying to reconcile the issues with the timber industry over their proposal. They have some other language they wanted that said that none of this will be in derogation to the 1891 act which seems to give timber and water a little more favorable position.

AM: You mean the ’91 act—

RW: 1891 Creative Act.

AM: As opposed to the Organic Act of ’97.

RW: Yes. The 1891 act said you can only create forests for watershed and timber purposes. That’s not an exact quote. So the way things were rolling – and Clems Miller in the meantime is raising hell with George Grant, but he’s not on the [Agriculture] Committee, so he can’t make much headway – given, again, talk about tight little cliques within the Congress at that time. But then Wayne Aspinall steps in, a Democrat on the House Interior Committee, and he’s concerned about some of the provisions, so the Forest Service now, instead of having peace and quiet with a little bill slipping through, they’re dealing with the timber industry raising hell. Lee Metcalf is on their side really in terms of keeping the bill broad; Clem Miller, who’s kind of like a gnat to them has a “hold” in the Senate, and now Wayne Aspinall with the House Interior Committee, that becomes much more serious business. And then over in the Senate, Gordon
Allott, a Republican, and Wayne Morse let it be known about their concern that none of this legislation is going to affect the relationships with the state with regard to fish and wildlife.

AM: So all of these concerns didn't have one common theme.

RW: Now, you see, you've got all these disparities, you know, and the Park Service is apparently working around the edges, wanting to be sure that none of this stuff applies to the national parks. [laughter] You go and look at the House debate, you know. It's like a Donnybrook because they bring the bill out of the House Committee and they have to amend it on the floor. So all this stuff gets put in on the House floor in April to bring it into a condition where it hopefully can pass the Senate without a change.

AM: This was in April 1960?

RW: Sixty, yeah. Ed Crafts went out to see the Sierra Club in May. The Senate hasn't enacted and he meets with their board at his request. Tom Alexander has a piece in the past recent issue of "Forest History" where he says that the only group to oppose the Multiple Use Act of 1960 was the Sierra Club, which was totally wrong. Crafts visits with the Sierra Club who have totally taken no position and the Sierra Club decides to still take no position. [laughter] But they would like to have field hearings held, which they don't communicate to anybody. If you don't tell the Congress that you'd like that, they don't know that you'd like it. But on that basis, Tom Alexander takes the position that the Sierra Club opposes the bill, but they had no impact on it one way or the other. In fact, as the bill is rolling through now, the Wilderness Society says they support the bill if amended to have the definitions and so forth, and to include a provision that wilderness is a part of ... because one of the other things the Forest Service was trying to do was to have no mention of wilderness. Senator George Aiken from Vermont is involved. Senator Holland from Florida is equally involved – both of them wanting to be sure that wilderness is mentioned as a proper use of the national forests.

So when you look at it, there you see the final bill with all that stuff in it. The timber industry stuff is not in it, but the definition of multiple use says that – probably at this point it will be useful to quote it exactly – it says that ... as written by the Forest Service and no one else ... It says there near the end, that in reaching decisions on harmonious and coordinated management and, I quote ... “not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.” Now "return" has a classical economic meaning as far as I'm concerned. It means profit. It doesn't justify losses. It says you don't have to get the most in every situation. You're not prohibited from getting – you just don get it, not necessarily nor the greatest unit output, which means that you don't have to have biological issues drive you. But you'll notice it doesn't say "timber" or "recreation" or "grazing." It talks about the combination, not any specific one, so you can consider all of them. But you go back and read the earlier language in the definition, you don't have to get every resource off every unit. So that's the way the definition comes out. And it's significant because, as you now
listen to what the Forest Service is saying, you would think that this language, and they quote it at times, justifies selling timber at a loss.

AM: That's what I find to be somewhat ironic, and it seems to me with the background you have explained, is that it was originally the timber industry's position that the Forest Service should be authorizing as a revenue producer, and it was the conservationist groups' position that revenue production, maximum revenue production, was not an appropriate goal. So the wording that says "not necessarily the greatest economic return" was really in there for the conservationists. And yet it's that language which is now being used by the agency to justify below-cost timber sales, for example.

RW: I think part of this is because some people have forgotten what happened. They don't go back and look at the legislative history. If they went back and read the debate, read the report, looked at the language, and looked at the hearings and considered the evolution ... I come to the conclusion that there is nothing in the 1960 act that directs subsidization of a resource. It doesn't prevent it, but it doesn't say that we ought to have below-cost timber sales. You have to bear in mind, Al, that, again go look at the annual reports of the chief in that period – that early in the 1950s. They were saying they'd got the first billion dollars of receipts, so they were treating receipts like it was profits. You read the words. As a lay reader, you'd say, "My God, they made a billion dollars over the years." And then six years later, you'd get an annual report and look at it, "Why, they made the second billion!" It's a faster pace that's occurring.

And so the Forest Service has long given the impression, and this goes way back to Pinchot's time, that forestry and resource management is profitable and it can be. I'm not saying it can't be. But they're not saying that it's unprofitable, and that there are situations where it's unprofitable where they're pushing ahead doing more of it, losing more money by increasing the amount of business they do, which increases their losses. So what we have is a reversal. From the standpoint of the timber industry, you were asking about that, that's the only time as far as I know that the timber industry ever argued that the Forest Service ought to be making money.

You have to look at it from their standpoint too. They're buying timber. They're not managing this land. And if you examine any position that the timber industry has taken, it's been logical from their standpoint. They don't care what it costs, either the Forest Service or private owner, to hold and grow and get that timber ready to be of a size and shape and condition where it's profitable for them to buy it. They're only going to pay what it's worth to them to convert to forest products, not what it costs the landowner to grow the timber. And so they don't care whether the government is making or losing money. The one advantage groups have in dealing with the federal government or any state government, too, is that they can exert pressures through the political process to get the timber sales. Let's say, there's no way industry can force Al McQuillan to sell the timber on his wood lot if he didn't want to sell it. No way we can make you do it.
AM: In the debates and discussions between 1956 and '60, leading up to the act, was there any discussion at all about community?

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RW: —mentioned in the law. “Community stability” is often used in Forest Service documents. Virtually from the beginning it's been discussed. And again, I think you need to go back to the original framework to see the evolution of this term. When Pinchot started out in the late 1890s and early 1900s the forest product industry's classic posture was to acquire some land. If it was in the East, it was bought from a state; it was state holdings or private holdings that were aggregated. See how big a piece they could put together, see how much timber they thought they had on it, build a mill which had a limited life, liquidate the timber and let the land go for nonpayment of taxes and move on. And not every firm did this, but I'm talking about the typical majority of firms. This was just the way things were. This led to communities being disrupted. Some of those communities were actually company towns to begin with, so there couldn't be too much of a scream about it because the company owned the town; the company owned the house you lived in. The company owned the store you bought from. When the mill closed down, the company moved to a new location and you went with it. But there was this concern about forest desecration, followed up by the concern that farmers and agriculturalists, as well as scientists, were having about the effect on watersheds. So the early drive, the thing that drove Pinchot and others associated with him and who preceded him even, was we needed to be more prudent in our management of resources and we needed to have some way of doing what the Europeans seemed to be doing, and that was continually cropping their timber and not cutting out and getting out and moving out. That's one of the things that came with the influx of German foresters. With Pinchot's education in Europe and some others who came along in that time.

As you look at the reports of the Forest Service through that period, what you see time and again is reports that they've devised a management plan for a piece of property which shows that you can make good profits and still have timber left to grow more timber. There were actually people who didn't believe that you could grow timber after you cut it, after you cut the land.

AM: And there still are probably.

RW: And so community stability, again, it's one of these euphemistic terms. Nobody really wants community stability. We want growth. But if we have to choose between decline and stability, [laughter] we'll take stability. But in the forestry area, the concern was to stop the out-migration of an industry – the closing of a mill. So community stability was just part of the overall argument, but it wasn't associated really with the multiple use idea. The multiple use idea was more of a public administration concept of who is going to decide what the allocation of land and money and resources is going to be. Is it going to be done by the agency that runs the operation or is it going to be externally directed by having a law that specifically says how you're going to do things? And the Forest Service opted for the former, which is what any good public administrator would do because he has some control over things. And the Forest Service wanted to be able to decide which land was kept in the wilderness system that they had.
developed, which had three parts to it as you know: the wilderness areas, the primitive areas and the wild areas. The reason being no real merit to having three different kinds of lands in the system, but it was a degree of utilization issue. And that was part of this whole framework of how community stability developed.

There is a 1944 act, which provided the mechanism for Interior and Agriculture to – in the timber field – to allocate timber to either communities or to particular companies on a noncompetitive basis. It gave them extensive freedom in selecting how this was done. The father of that idea was David T. Mason, a forester with the firm of Mason, Bruce and Garrard, and if you read his autobiography, *The Forest For the Future: The Diaries of David T. Mason*, he describes it as “birth control.” In the ’30s – our agricultural depression started in the early 1920s and there were a lot of problems that the forest products industry was facing – of declining prices, declining production. And a lot of these companies were land poor. They had lots of land in a weak market and a bond issue hanging over the timberlands that they had acquired. And there was concern among the landowning segment of the industry, which again came from back in the Pinchot era, of people who could get in on the forest and cut timber without being responsible, as it were, because they didn’t own timberland.

Mason had devised this idea of “birth control.” The South was cut out and their production had fallen off appreciably. The Lake states and the Northeast were cut out and theirs had fallen off appreciably and hadn’t come back. The West was a huge reservoir of timber and there were some large industrial holdings. Mason’s view was that if you could combine the large private holdings in federal timber, and a lot of it was physically positioned so that this could be done and allocated to these companies, that you’d achieve stable output and stable prices and you’d back into sustained yield. The carrot the government would use wouldn’t be regulation; it would be the allocation of this timber at the appraised value. We’d live happily ever after. He got the bill enacted during World War II in 1944. The Forest Service set up five community units. A couple of them were piddly little things. One cooperative unit was Simpson in the state of Washington. The Interior could do this too. The Bureau of Land Management tried to set some up in Western Oregon on the O and C Lands. Walter Horning, chief administrator then of the O and C Lands, made the mistake at one of the meetings when BLM had divided Western Oregon up into 12 marketing units, which restricted where the timber could be used; and they had also divided the lands up into subunits which had geographical names. I worked on those lands, all us guys called them by the names of the company because they were going to go to that company. We’re dealing with a checkerboard ownership. The Hult Unit, the Long Bull Unit, the Willamette Valley Unit. Those were the common names we used – the Fisher Unit. They proposed to set up a cooperative agreement with Fisher, Fisher Lumber Company, outside Eugene up near Marcola. Horning told a group of lumbermen, when asked what would happen to them if they didn’t own any timberland – and there were a lot of mills that sprung up in Oregon right after the war with no timber – just mills. He said, "Well, if you don't have timber, you're going to go out of business." That led to the formation of a group called the Western Forest Industries Association, headed by Reginald Titus, who previously had worked for the West Coast Lumberman’s Association.

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AM: Now, WFIA was out of Portland?

RW: Yeah. And Titus believed that the Sustained Yield Act of 1944 was a socialist scheme, and he was right, you know [laughter] in the broadest sense of socialism. On the other hand, the big guys in the industry were calling Titus a socialist and a communist. He organized the non-timber owning mills and they fought the Fisher Unit to a standstill. They also alleged that the BLM favored the entrenched operators and the whole thing rose to a roaring boil in 1948, ’49 and 50. In effect, the sustained yield act of ’44 was dead by 1950. One of the key actors in the killing scheme was Leif Ericson from Montana, a friend of Lee Metcalf’s. Leif, as I recall, was a union organizer. I was in Western Oregon at the time. When you heard that Leif was coming over, it was like someone was bringing in the plague, you know – Abby Hoffman at his worst. He must be some huge Scandinavian coming over. [laughter]

Leif Ericson was a firebrand. The unions were opposed. The CIO, Al Hartung and I forget the other guy with the AFL group who was a much more subdued guy than Hartung. They were opposed to these units and so the whole idea of creating the units died. The last proposal (and I’ve got a copy somewhere around here) was a proposal by Pope and Talbot out of Oak Ridge in Oregon to create a unit. They bought the old Rigon Road Grant checkerboard and they wanted to have a unit. It never got beyond the issuing of brochures stage of extolling its virtues.

Community stability, you know, is a wonderful idea. The only problem is making it work. I don’t know anyone in any industry, in any community, that’s ever made it work. And yet it’s what we always … no matter where you live you keep talking about it. There’s certainly no way to make it work without massive governmental intervention, because if you’re going to have community stability, you’ve got to force the guy that’s got the mill to keep operating and to keep employing a certain number of people.

AM: So in the 1956-60 period, did this come up for discussion at all?

RW: Yes. In 1955 there were hearings on federal timber sale policy, which I was involved in. The joint committee (House Government OPS and Senate Interorcom) started in Northern California and went all the way up around to Spokane and this issue was discussed. In 1957 Senator Murray and others introduced a bill, which the administration supported, to repeal the act. But it never went anywhere because Scoop Jackson was concerned that it might cancel the Simpson Unit. The other units, the community units, didn’t have with them a 100-year contract, which is what Simpson has. Even though it could have been passed, retaining that agreement as a contract, that was what caused it not to move, and so the act is on the books and nothing’s ever happened since then. The Flagstaff Community Unit has been canceled. The Lakeview Unit exists. There’s a little one called Vallecitos in New Mexico still persists … the mill’s been sold maybe half a dozen times. Gray’s Harbor was really created as a stop to Simpson, to the community when the Simpson Unit was set up.
AM: Were there any attempts to include stability language in the Multiple Use/Sustained Yield Act? Or was that a silent issue?

RW: No. There were none that I recall. It just wasn't particularly discussed. What was discussed was that all these uses were traditional in the Forest Service and all we were doing was legislating tradition.

AM: Charles (I think) Wilkinson made the point that the Forest Service was in the awkward position of arguing that they really didn't need the Multiple Use/Sustained Yield Act since they had enough authority to manage for all the different uses. But at the same time, they really felt the need for it.

RW: Yes. My view was that the reason for it was that they wanted to use this as a tool that wouldn't be without any specifics that would assure that the Forest Service had the administrative facility to tell one group you can't get this or another group you can't get this, to decide what the mix of uses ought to be. That was what was involved in it. And the fact that recreation wasn't mentioned in any law was again – in Fish and Wildlife – they wanted to get those words somewhere in there.

AM: It was untidy. They wanted to tidy it all up.

RW: Yes, but at the same time they readily accepted language that said that it doesn't affect the secretary of Interior's authority over minerals in the national forest, so if you were going to make allocations of land use, you ought to be able to make them all. So the thing is interlaced with inconsistencies. Probably the most interesting thing for you to look at is Clem Miller's statements on the House floor in which he documents this. He goes back and forth with it. It just says what we've got here is a monstrosity of inconsistencies which is not going to solve anything. And so my view of it would be ... here we are now in 1989. We've had the Multiple Use Bill since 1960, and the resolution of the issues that the Forest Service thought they were going to get by having a Multiple Use Act has still not occurred.

AM: Well, if I can take up with that for a moment?

RW: Okay.

AM: The resolution of the issues boils down, it seems to me, to be a question of setting priorities on different uses in different places at different times, and there had been a discussion I think Crafts talked about it in terms of whether multiple use meant that each resource would be given equal priority – and the consensus seems to be that that really wasn what was meant. If priority meant that you had to manage each area equally for each of the different uses the more the multiple use act was meant to be kind of an equal opportunity act
in that each of the different resources was to be given an equal opportunity with respect to how it was to be considered.

RW: Maybe, Al, the best way to put it in a current framework, is that it was an equal opportunity act without an affirmative action plan.

AM: Yes. [laughter]

RW: You see there was nothing ... you look at the hearing record. You look at the testimony of the Forest Service. You look at the report they sent up. They were the ones who originated the bill. You do not find a coherent discussion of what they're going to do, how this is going to work; what is the nature of the issue that we want to resolve, and how will this resolve it.

If you think you have a problem, first you have to define the problem. Then if you think you have a solution, you have to define the solution, and you have to have some coherent rationale as to why this problem is significant enough to warrant this kind of a solution, which elevates it to a legislative arena of policy statement. And I must say the Multiple Use Act provides you with no coherent framework, I don't think, in which to reach these conclusions – to reach any conclusions about what you ought to do. So what we have done, and I've been part of it, is [that] every time we feel a little bit pressed, we yell "Multiple Use!" That's like the magic word. "But we're doing this under multiple use management," we tell you. “Are you for dominant use?” [laughter]

AM: Well, I certainly see what you're saying in regards to it. We set up the problem as being, how do we resolve use conflicts? Then the Multiple Use/Sustained Yield Act doesn’t do that. But in trying to make sense of what it does do, I hypothesize a scenario in which Forest Service had very broad discretionary authority under the 1897 Organic Act of getting the authorities to regulate the use ...

RW: Use and not preserve, yes ...

AM: And the Forest Service [was] feeling pressured and — this is a hypothesis I am asking you to respond to – were feeling that their very broad discretionary authority was being challenged and they saw the opportunity of the Multiple Use Act to kind of reestablish in a very firm way their very broad discretionary authority – not that the act would resolve the issues, but the act would give them the authority to resolve the issues.

RW: Well, they found in its vagueness that it would give them the authority to resolve the issues, but you don’t get an automatic – I know of no automatic issue resolver that's been invented. It’s not like an AK-47. And I think also, as we make these comparisons back with the past, that the 1891 act simply provided for creating reserves. The 1897 act, despite its language, particularly as related to timber, did not really set into motion a full-fledged system of operation. These lands were in the Department of Interior under the Land Office and [were]
called reserves and the word "reserves" means "we ain't gonna do much on them. And by 1920 these lands were only providing a little over one percent of the wood consumed in the country. When Interior got this designation, these lands were open range grazing and there was no regulation of the number of livestock, so you had roaming back and forth. First to the grass got it – no regulations. The mining law of 1872 applied. These were general public lands open to use and occupancy. The Homestead Act applied. All these public land acts applied even though we had made these reservations, which made it a conflict to begin with. If I could go out and file homestead on it, of course, I had to prove that it was agricultural land. But my God, we granted thousands of homesteads on stuff that wasn't agricultural. Any damned fool knew that if you cut the timber off, it automatically was agricultural. That's why we cut so much of the timber off the land and it never grew a crop. [laughter]

Generically, as a nation, we had these inconsistent series of laws and then we created these reserves. Along comes Gifford Pinchot and says, "Good gosh, if you'd move it out of Interior and give it to me, I'll show you that I can make money out of it." And we called them "national forests" when half of the acreage didn't have a tree on it. We set up a whole series of inconsistencies and we've never really sat down – and I'll confess my guilt – and looked at this and said, "Look, let's reexamine what we have here. What are we trying to do with it? And do we have a rational policy? It's easy to go look at New Zealand and see what they did wrong. [laughter] We are not very good at looking at what we did wrong. So this thing evolved without that kind of look-ahead thinking as these administrators, with the best of intentions, dealt with the current problems as they saw them. If you were Henry Graves, the chief from 1910 to '20, every year you were confronted by a group of people in one of these Western states that was demanding that part of the forest be taken out, opened a full homestead entry, well you were saying, "Well, we can grant homesteads under the Forest Homestead Act if these people really [want to] homestead, and I'm telling you, "No, we're going to take out 300,000 acres from this forest and open it to entry and the next minute you're petitioned by a group of farmers who are saying, "Good God, don't do it. If the timber's cut off that hillside, it's going to affect our water supply, and we're dependent upon irrigated water."

And so we were dealing with these problems right close up, and the broader sweep of the policy in its impacts were not clear. We persisted until 1964, keeping some of these acts on the books, despite the fact that their day of use was long gone. I remember once getting a letter from Congressman Mahon, chairman of the Appropriation Committee, when I was with the Bureau of Land Management, from a farmer in Texas. And this is the God's honest truth. It said, "Dear Congressmen, my land's plumb played out. Where can I get some of that public land? I'm sorry. I got to move out of Texas." [laughter]

AM: If we could key on some of the words in the Multiple Use Act, let's just take "use" for example. The word "use" sounds like a fairly innocuous term, and yet if we go to Pinchot, for example, we find Pinchot saying things like, "The first principle of conservation is development, and the use of the natural resources now existing on this continent for the benefit of the people who live here now. There must be just as much waste in collecting the development
and use of certain natural resources as there is in their destruction." Clearly, Pinchot had used the word "use" in a very active sense, meaning the development association. Was that inflection on the word intentional in the Multiple Use Act or was it not meant in that way?

RW: I don't know that it was intentional. I think by the time the Multiple Use Act came along the word had become such a part of our vocabulary, and I'm talking personally – my vocabulary – that I really didn't and I don't think others thought through what it meant when we said it. The way we used it was, we faced three alternatives. One was to be rejected out of hand if you were any sort of a conservationist and that was destruction. Nobody was for destruction like nobody's for rape. Now, that left us with two alternatives: lockup or use. Now, we didn't want to be part of the lock-up group because lock-up meant waste.

AM: How did lock up mean waste?

RW: A wilderness area is a lockup.

AM: It was waste in the sense of not developing

RW: The trees grew, they fell down and rotted, and they never saw a sawmill. The grass grew and ripened and the fall came and no livestock grazed it. It was wasted. If there were any chances to get minerals, nobody could dig around and find them, therefore, they were locked up. We ignored water and wildlife in this process, because even if we locked it up in that sense, the wildlife were there roaming back and forth, happy as can be, doing whatever they did in their ecological niches, their populations rising and falling. People who wanted to go out and take them with a bow and arrow or a rifle were able to do that, or with a fishing rod. The water hit the vegetation, trickled down to the earth, flowed on down – probably in better shape than if we cut the timber or overgrazed it. So we pretended that if we put it in one of these reserve uses, and again you see the term "reservation" implies no use. If we put it in a park, in a wilderness area, in a wildlife refuge, we prohibited the extraction of the other resources and that made it a lockup. But we weren't really able to lock up the water or the wildlife and the fish, so it was a lockup in terms of economic or commodity extraction and that was the way it was dealt with. And "multiple use" became a buzzword. It's like the debate over abortion – there's a couple of buzz terms. The debate over school integration – there's a couple of buzz terms. They don't really say what you mean. You're opposed to busing and I discover you put your child on a school bus and he's traveling 22 miles to a private academy when he could go—

[End of Tape 1, Side B]
DH: This is tape number two of an interview with Alan McQuillan and Robert Wolf on the Multiple Use Act.

RW: I was mentioning the busing. You find people that sent their kids 20 odd miles to a school when they could have gone three miles away, but they were opposed to busing. Life is full of these sorts of inconsistencies, where the real thing that we’re concerned about is simply not addressed. It’s not an uncommon experience. So multiple use, you have to recognize, was the counter to wilderness. Here we are, we’ve got an era – the wilderness bill doesn’t get enacted until 1964 – where the Forest service is fighting the battle to maintain administrative decision-making on the size, location, number, and content of lands that are going to be in the wilderness system. Therefore they want to retain that complete flexibility. The user groups are all concerned that other user groups are going to impinge upon their ability to influence the outcome. They are more willing to have the Forest Service make this decision at that point than to have it set forth in specifics, because who is going to set it forth? Up to that point, every time it’s set forth, it’s set forth as a park, or as a fish and wildlife refuge, which restricts certain commodity uses. So the non-commodity sector is not concerned if they’re at all concerned, however, if it moves over to be a military reservation. We had a military reservation, a limited withdrawal of lands for military reservation, the Engle Act. So, it’s the Congressional designations of lands, because their innate experience tells them it creates a park.

AM: I find evidence of what you’re saying in something I just received today: the final position statement for special management areas by the Eastern Montana Chapter of the SAF. They say that most wilderness bills drafted or passed today include special management areas, such as national education, recreation, and so on. And they say, “We view prescriptive management language as contrary to the spirit of the Multiple Use/Sustained Yield Act.”

RW: Yes, if you go and look at a management plan, any of the current management plans, you’ll probably find 14 different kinds of land designation in it. (I counted them on the Siskiyou, that’s how I know; there were 14 there.) All of them are prescriptive to some degree or another. Some of them only euphemistically prescriptive. Because in a meeting I was in, I asked the supervisor what uses are restricted on that land by that definition. “None.” So, the restricted term does not always add up to be a restriction in use. That again is a strategy that has evolved of calling things, special areas this, special area that, but then having no prescriptions for it; and I use prescription as compared to restrictions. You haven’t set up a mode of management that assures that it is going to do what you say it’s going to do. On the Siskiyou, the riparian zones, well what are you going to do on these? They are different – some of them. Nothing. You call it the Riparian Zone. I think this poses a real serious problem for land managers dealing with the public. What sort of confidence do you have in a used car dealer?

AM: Well, 10 years after the act was passed, in 1970, Ed Cliff, the chief, came out with a framework for the future-type policy statement. He basically promised to meet all needs. He
was going to meet the needs of timber, and meet the needs for recreation and didn’t address resolving conflicts of uses anywhere in that statement, and it seemed like he left the resolution to the regional level. In this particular region, Neal Rohm, who was regional forester at the time, responded in a regional statement that when it came to talking about priorities and resolving conflicts, he said very little. He said that quality would be stressed over quantity and that, in high priority wildlife habitat, wildlife would prevail. Other than that it seemed that he left the resolution of these conflicts to the unit planning process, which was mostly under the jurisdiction of the district rangers. Yet in the Multiple Use/Sustained Yield Act, we see the working that says we want the combination of uses that best meets the needs of the American people. So does that mean then that the responsibility for managing the resource to best meets the needs of the American people is left up to the district ranger?

RW: Well, and of course I would say that in the final analysis all these decisions are made on the ground. I don’t care who is up at the top; the guys on the ground are ones that are making the decisions. They may make good or bad decisions from somebody’s subjective standpoint, but they do have to create the plan, execute the plan and so forth. Again, people don’t go back and look at the act and say, “What does this really mean?” You’re kind of in the predicament when you ask me a question like that, that you are with your students when you are grading a paper and you wonder why they didn’t answer the question that you asked them. You asked them, “How many miles is it from Chicago to Missoula?” And they’ve told you how long is the Mississippi River. [laughter] They aren’t looking at what the real issues are.

So, you put these words around that we are going to stress quality over quantity. Who could object to that? Well, I would because I want quantity; I don’t care about quality. I tell you that wildlife on prime wildlife habitat is going to prevail. What the hell are the deer going to say? We can’t even deliver on that. We may be able to screw up the habitat for the deer, prime habitat, and what we think we ought to be doing for them may not be what they would like to have done. Bear in mind, they go along pretty well with a lot of men ... they get along better when there are fewer of us. [laughter]

AM: It is such a general act, and I think what you are saying is that it doesn’t say very much to a large extent. But then there are some, if one goes looking for meaning in there, one can maybe convince oneself that there is something in there. And so I’d ask this as a question in terms of if one is trying to figure out Congressional intent in passing the act, whether certain interpretations were meant to be there or weren’t. For example, “Best meets the needs of the American people.” That seems to imply that we are not talking about local people, we’re talking about national people.

RW: The matter was not debated in the Congress.

AM: It wasn’t?

RW: No. You can read the debates. You won’t find a question and answer thing. The court, in
effect, has to rely on its own judgment as to what may have been meant by those words. You can’t find authoritative, coherent debate. You can find it on the question of fish and wildlife jurisdiction: “State’s jurisdiction is not to be affected.” That was discussed, the amendment was accepted, and therefore, clearly the chairman knew when he accepted the language that the jurisdiction of the states over wildlife was not to be affected by this. What is the jurisdiction of the states in determining the number of game that can be taken. The jurisdiction of the state does not permit the state to tell the Forest Service that they’ve got to have 20 deer per acre or one deer per 40 acres, which is what the real dimensions of that type of situation should state. All the state can do is to pass a law that says you’ve got to have a license to take a deer, and these are the times that you can do it. In fact, it won’t even guarantee whether the deer will be on national forest or private land. If it is on my farm you may not be able to get to it.

AM: In using that phrase, “Best meets the needs of the American people” ... I suppose today’s deep ecology movement and followers of Leopold and others (Stone wrote Trees Left Standing), and those kinds of people would take up with that phrase and say it’s too anthropocentric in putting the needs on people.

RW: Well, meeting the needs ... if we said, “Preserving the civilization as best it can be done, given the growth and the population,” it might make more sense. “Needs” is a funny kind of word. There are a lot of things we think we need. We may not get what we need, we may get exactly what we deserve. So, that term “needs” you see again. I don’t think that kind of study went into devising this bill because of the reason I stated earlier as to what the real unsaid goals were. If you have unspoken goals then you can’t necessarily expect the language that you use to produce the result you desire. Now, if the Forest Service, therefore, if Ed Crafts (the poor gentleman has passed away), but if Ed Crafts thought that what he was going to get out of this was peace in our time – a phrase that I believe was made by another distinguished gentleman – it’s another country, it’s another era.

AM: Stanley Baldwin.

RW: Yes. [laughter] And you look at today, and you look at what’s happened in the field of national forest management. We don’t see peace in our time and, therefore, if you were trying to get my conclusion as to whether the Multiple Use Act had worked, I would have to say it hasn’t produced peace in our time. Would I repeal it? Well, I’m not sure. I don’t know what I would replace with yet ... but it hasn’t produced the resolution of these conflicts. It may be that if we left the law on the books, but provided some mechanism for problem solving that enabled people to come together. It may be an uneasy truce, but they do come together and they stop shouting and shooting at each other. They say, well, let’s see how this plays out. Let’s try it for a while. There are opportunities to, I think, to have peace in that broad sense. It’s the techniques that we use, not a vague statute like this.

AM: Well, I think it was ... or somebody that pointed out that you can’t maximize for more than...
one thing at a time. [laughter] And the notion of maximum public benefits ... the Multiple Use Act doesn’t seem to me to help us get toward any mechanism for solving the problem of how to maximize public benefits, because it doesn’t break that tautology that you can’t maximize for more than one thing at a time.

RW: Well, assuming that you can define for me “public benefits,” maximizing is a oxymoron because you are going to have to short some and lengthen others, and we lack a scale to measure these on that has equal weights for everything. So under one set of criteria you have maximized Alan McQuillan’s public benefits, but you haven’t maximized Bob Wolf’s.

AM: Well, it’s the problem that’s inherent in utilitarianism. As Jeremy Bentham put it – the greatest good for the greatest number. Pinchot just added “in the long run” in his letter so it is straight out of utilitarianism. It’s the same problem that Pique had when he defined “utilism” as being the unit of utility. We’ve never known how ...

RW: Yes, but it is common to man to use these phrases – vague, general phrases – in the hopes that he doesn’t have to translate them into reality. It’s when you get to translate them into reality that you run into problems. That’s why a lot of people involved in the planning of the national forests are quite frustrated and, therefore, they substitute reams and volumes of data of doubtful utility for sharp, hard analysis, because that sharp, hard analysis would cause them to come to conclusions which would exacerbate the relationships with these several constituent groups. What they are trying to do is to have none of them get excited. But [laughter], what they have succeeded in doing is getting all of them excited. [laughter]

AM: You were mentioning a little while ago about things not being addressed in events that led up to the act, and it seems that the things that are in the act – like watershed, range, wildlife, recreation, timber – all have instrumental value to some extent. They’re things that you can – they may be hard to measure – but they’re things that are conceptually measurable. And yet esthetics isn’t anywhere mentioned in the act. It is my hypothesis that esthetic considerations are behind a lot of the motivation. It’s what motivates the public to a large extent over forest management issues. Was there mention of esthetics, any discussion of esthetics consideration?

RW: No, I don’t believe there was. I think esthetics possibly stimulates some people to be concerned, but what we are experiencing is a concern about the fact that when we do some of these things that we are changing the cover on the land and, therefore, we’re having a significant long term visual, as well as ecological, impact. This is what a lot of those folks are really concerned about. I would say that “outdoor recreation,” that’s such a broad term that it is almost meaningless. I may want to run a snowmobile, and you may want to cross country ski. That might be an immediate conflict right there between the two of us. “Range.” What the hell does “range” mean? It’s open grassland type of cover, but to a lot of people it means grazing, period. “Timber.” That means that something has utility value – manufactured into paper, pulp, lumber, plywood, etc. And yet we are supposed to be managing forests. “Watershed.” “Watershed” is a place; it’s a geographic description.
AM: It’s not even a use.

RW: Yes, it’s not even a use. [laugher] And there are all kinds of uses that are made of water in different forms and different parts of its travels on the earth. And then wildlife, and fish, we left out insects – there are more of those damn things than anything in the world. Certainly they have more impact on us. They can do all sorts of things, good and bad. But “wildlife” – what sort of wildlife? Is it as many wolves as we can have? As few deer as you’d like grazing on the haystacks in your field? “Wildlife” is another generic term and [so is] “fish.” You remember the complaint over the snail darter? Who should pay any attention to the snail darter? Again, we left out other forms of life in the water, which are a very important part of the food chain for these animals we want ... and plants, and so forth. We left out all sorts of other vegetation, all of which is a key part of the ecological interrelationship.

I would say that we started out with these funny words that also trigger meanings, particularly as things have evolved in terms of sensitivities people have about the environment, that make these terms unpopular words. Perfectly good words in their own situation have become bad words in the minds of some. Timber might be fine if I have a sawmill, but it might not be fine to you because you’re not interested in timber, you’re interested in seeing woodland. So, I think the whole thing stands on a funny foundation.

AM: I certainly see what you are saying. Still trying to find something to hang a hat on in there. If we look at the definition of sustained yield, we [see] words like “maintenance in perpetuity of a high level annual or periodic output.” And in a very strict notion of sustained yield one could say, well, growing one tree on an acre every hundred years forever would be sustained yield. Presumably the use of the word “high level” in there implies something other than that. Am I right on that?

RW: Well, again, the person that drafted that is dead.

AM: Who did draft that?

RW: Ed Crafts. I’m sure there were some other people for the Forest Service that were involved. If they had said “appropriate level” or something like that. But “high level,” yes, implies ... you see, as resource manager, we’ve often felt it’s the biological level that is the driving thing, and more is better. If the trees won’t grow as fast as we would like them to grow, we’ll fertilize them and stimulate them, and make the little buggers grow.

AM: It’s the biological imperative that places all the emphasis on biology.

RW: Yes, but then as soon as you go to the next part, you see, you go back to the combination stuff. Now you’ve got a dual direction high level but combination.
AM: Right, it’s the maximizing more than one thing at a time ...

RW: Yes. Now you’ve got to cut down the trees because you’ve got to do something about wildlife, assuming that you have research data that shows this. Now the high level isn’t the high level, it’s the combination high level. Now the high level is biological and somebody says, “Bob, what’s it going to cost?” When I tell you what it’s going to cost, they say, “We are only going to give you 60 percent of what you are asking for.” Now what do you do? Now things change drastically. It sort of backs you into the below cost issue. The whole damn timber operation is below cost. What do you mean by high level? [laughter]

AM: Well, another phrase that comes up in section 4-A – “periodic adjustments in use to conform to changing needs and conditions.” I think it was Arnie Bolle that said, “The answer lies not in establishing a static equilibrium, but rather in setting in motion the procedure for continuing decision making.” Now it seems to me that when we talk about periodic adjustments we’re talking about a static equilibrium with periodic jumps. It’s a concept of stability and a concept of setting in motion a system that has kind of a fixed notion of the future, and when that notion gets to be too much out of alignment, we come back and we change it. So, it’s a different kind of approach to problem solving than one that would be much more dynamic and would expect kind of continual change.

RW: Well, before I answer that let me just back up into this sustained yield thing again, the annual or regular periodic. You could really have struck “regular” when you used periodic [AM: Yes.] because a clock strikes every hour, but you might want something that is more like a tide clock [laughter] that keeps shifting everyday, that is irregular because periodic isn’t necessarily regular. This part has been forgotten, “the regular, periodic.” Timber sales are a good example, the ASQ [Allowable Sale Quantity], people argue you ought to offer the same amount for sale every year, good and bad markets regardless, and so forth; others argue it the other way. But, there are also some areas where it might be that you only want to go in there and cut timber in that whole drainage once in a blue moon, but we’ve dropped that part of it. We want the whole thing in the ASQ and we want regular sales annually and so forth.

AM: On a decadal basis anyway.

RW: Well, some of us want you to get that allowable out every year. Don’t fool around with yo-yoing it up and down. On the cutting, I’ll take care of the ups and downs because I don’t want to have to cut it on that same basis. I want to be able to defer cutting when the market’s bad, speed it up when the market’s good. But if your ASQ is a hundred million feet, I want you to offer 100 million feet a year, so that I can buy what I want and cut it when I want.

AM: Within the Multiple Use/Sustained Yield Act and then the National Forest Management Act it establishes ASQs on a decade basis. The agency has the flexibility to adjust to market conditions.
RW: But we are talking about the old Multiple Use Act. What I’m saying, when you look at that word as it existed then. Now on the other point. [DH: Excuse me, what’s an ASQ?] Allowable Sale Quantity, sorry about that. Where are we in the definition?

AM: ... “for a periodic adjustment in use to conform to changing needs and conditions.”

RW: Well, you see now we are dealing with some in-house agency language, based on management plans. You’ve got to remember, prior to 1960 the Forest Service had discreet resource management plans -- timber, wildlife, and so forth. [Not integrated] -- they were unrelated to each other. Never the twain met. One of Ed Craft’s goals and Ed didn’t give a lot of thought to these issues – I’m not saying he just dashed this thing together – was that the Forest Service should have an integrated management planning system. If you’re going to have multiple use, you had to have multiple use plans. A plan should stay in operation for a period of time, because you wanted to have some stability to management. You wanted to be able ... it takes three years to get a budget enacted, by the time you start your planning on it ... you want to get things so that you are not yo-yoing up and down. It’s hard enough to convince the department, the OMB and the Congress to give you the money you want. But what they were looking for was a steady state budget situation, a budget that responds to the plans, not one that was buffeted by external forces.

AM: Was this notion of “steady state” realistic in the dynamic world?

RW: Well, the dynamics would be that at the end of the plan period. If things had changed, then you would re-gear the plan, but it wouldn’t be constantly fluctuating.

AM: What I’m thinking of is like at Champion, we had a 10-year strategic plan. We wrote a new 10-year strategic plan every year.

RW: But, that’s different from the Forest Service. Forest Service, if they have a 10-year strategic plan, they wait until the end of the ninth year to write the next one.

AM: Right, so my question relates to how realistic that kind of philosophy is in a dynamic world?

RW: It isn’t realistic, in my view, except -- to go back to your Champion example. Champion would be the kind of organization that would be pressing the Forest Service not to rewrite their strategic plan every year.

AM: What they do politically and what they do internally is a different question.

RW: I know, but you see, what I’m saying is that the Forest Service is responding to the external—
[End of Tape 2, Side A]
RW: —stimuli, which are saying don't change things, stay as sweet as you are. We want to be able to put the same number of livestock out there every year. If we elect to put less out, that should be our option. You ought to let us put out what our allotment allows. We want the same amount of timber put up every year. We’ll decide whether to buy it.

AM: Because those people would like predictability, having been in that situation I can understand it. It’s almost like saying, “We don’t care what you do so long as you make up your mind to do it and then we can plan ourselves around it.”

RW: And the other thing is that there are other unpredictable elements that I can’t control and, therefore, anyone that I think I can control I want to try to control. I believe under our system most of us Americans believe that government should be responsive to our demands and desires. So, we think the government should stay stable. In fact, we pride ourselves in the fact that we have a Constitution, now, for 200 years. We haven’t changed it very often. We’re a pretty stable bunch of people. Even though there are some 10,000 bills introduced every year in Congress [laughter], we thank God not all of then are enacted. To me, as I look at, what I see is we go in two directions without realizing it.

AM: You say being sensitive to, responsive to, our desires. I think that goes back again to Pinchot. If I recall right, in the Pinchot/Ballinger controversy, Pinchot thought that conflict should be resolved in the political arena, responsive to the public. And Ballinger felt like they should be resolved by experts.

RW: Well, I guess I see that conflict as having a different route in it. Ballinger believed that, in a sense, he was a Jeffersonian. Though I don’t think he realized [it], Ballinger believed that the public land laws were designed to permit any damn fool to get a piece of land and do what he wanted on it and succeed or fail, but in the long that would build up the nation. Whereas Pinchot’s view was that the government should exert some influence to prevent people from being damn fools; that there should be some decisions made about how land is used by the government; and that you should not be able to go out and cut the timber off land that couldn’t be farmed under the theory that you were going to farm it. Somebody should look at that land first and say, “Wait, that’s good agricultural land, let’s try farming there but not over here.” Pinchot believed that if the government controlled water power, places where water fell, this would prevent monopoly. As you read Pinchot, you see this constant concern about monopoly.

AM: And he and Roosevelt were on the same track.

RW: Yes, he was concerned about the timber monopoly, the water monopoly, the power monopoly. He believed if you controlled those things, you then could build a better nation. He had a benign idea of what he was doing. He didn’t view this control as being sinister. He didn’t
want the special interest to use the pejorative term that he used to wreck the nation when he, Pinchot, could look ahead and see this marvelous future. When you look at the kind of national conferences he organized, the way he double-teamed with Newell and Senator Newlands on the Reclamation Act. Just give me the term for reclamation to put water on land that never had it.

AM: So would you see Pinchot as advocating a paternalistic role for government?

RW: Oh yes, yes. I don’t know quite where the quote is, but I read it once. Taft, when asked about keeping Pinchot on, said he viewed him as a dangerous radical. [laughter]

AM: Let’s see. Let’s switch tracks a little bit and then direct things, and then to wrap things up maybe here. Although one question that I wrote down that early on you said Aspinall was very much concerned and got involved, and you didn’t really lay on, if I recall right, what his concerns were.

RW: Aspinall carried with him an absolute view that the Constitution, as it dealt with public lands, meant what it said: that Congress made the laws, ... no land shall be disposed of, etc. without the Congress. I don’t have the exact constitutional phrase in front of me, but there is a section, and Aspinall used to love to quote it. That was what triggered his view. He came from the western slopes of Colorado. In his view the national forests were part of the public domain. The eastern national forests were another matter, but the great bulk of them being in the West, they were part of the public domain. The Congress had control over that. It was up to the Congress to decide what the disposition would be. He always liked to kept the BLM and the Forest Service on, what he considered to be, a fairly short tether. So, his concern as the Multiple Use Act unfolded was that it not loosen the hold Congress should have. But you go and you look at the Public Land Law Review Commission stuff that you see that coming through in 1970 when that report came out, or ’68 I guess is when that came out. That was the Aspinall position and there was also a little turf involved. Aspinall never quite believed that the Agriculture Committee should deal with issues that could dispose of federal lands national forests.

As you look at the language, the charter language of the two committees, forestry was something the [Agriculture] Committee could handle, but disposition of the public lands was something the Interior Committee could handle. He saw disposition in this and the kind of threat he was using was, “If you keep it up, I may move to have the bill referred to my committee.”

AM: By disposition, do you mean they are actually taking lands out of public ownership or disposition in terms of uses?

RW: Uses, uses, yes. Either way, either way.
AM: Thinking about the political climate that led up to the passage of the act, the Forest Service timber harvest, according to Wilkinson, increased between 1950 and ’59 from 3.5 billion feet to 8.3 billion feet, so it was a time of big expansion in timber harvest, following World War II and the housing boom. Was that expansion something that you think triggered the act or had an influence on it?

RW: Yes. I think not everybody in the Forest Service was happy about the explosive expansion of the cut. Even though from a biological basis they thought it was acceptable, they were beginning to lose their long time warm working relationship with what I consider to be the old-line conservation organizations. The idea of ORRRC was formulated then ...

AM: ORRRC?

RW: Outdoor Recreation Resources Review Commission. The view was that recreation was falling behind, and we were becoming a more mobile population, more people in vehicles. The Bureau of the Budget would not agree with the Forest Service on increased funding for forest roads and trails and forest highways. The Forest Service was being forced to build most of its roads via timber sales, which wasn’t necessarily the most effective, efficient way to build roads -- particularly if you are looking for broad public access. I was part of the staff guys on the Hill. Every two years we’d push the forest road and trail, park road and trail, parkway, forest highway, Indian road authorizations up above the administration requests. Every two years the battle was fought because they had two-year authorizations. I was working for the Westerners and every two years we’d put together packages and fight them through. I remember one year we had it all lined up over in the House. George Fallon of Maryland was Chairman of the Road Subcommittee was from Baltimore, MD. Dick Sullivan was the staff director of the House Committee [and a] great guy. John Blatnik of Minnesota talked with him about it because Blatnik was in favor of them raising the road money. So the chairman Buckley, from New York, an old-line Bronx-Tammany wheel horse, wasn’t going to be there. I was in a little meeting with Dick Sullivan and Blatnik and “Sully” said, “Well, I talked with Mr. Buckley and he said, ‘Here are the proxies of all the absent members.’” So, we’re sitting there in the “mark up” and Fallon rolls off the vote of what he’s got against it, and Blatnik starts laying down the proxies of the other missing members [laughter], including the chairman of the full committee, and he’s got the votes. You never saw a look on a guy’s face like Fallon’s – it was like being hit with a fish. “Imagine, Mr. Buckley doing this to me.” [laughter] Once you had it in the House bill, no problem over in the senate. Dennis Chavez was the chairman of the Senate Public Works Committee, and so if you got it into the House bill, the roads’ authorizations all went up over the administration’s objections. But roads [were] a big issue because access was an issue in terms of recreation.

There was another aspect that I don’t think you want to go into at this point. I think they want to discuss that at another session, and that is this question of access, road access. But this has been a real dilemma because how many miles of road do you need? Of what sort and what places, to provide for the kind of outdoor recreation that people really are talking about. How
many more miles of road do you need just designed for timber? This is another reason why you see the current conservation community so opposed to roads. They’re not all backpackers. There’s just enough road, as far as they’re concerned, to get them to the campgrounds to do the thing they want to, and these added roads aren’t taking them anywhere they need to get to.

AM: Well, hadn’t a lot of Veterans Administration money go into road building in the early ’50s?

RW: Oh gosh, during the war we had some special stuff. Yes, we had some money that went in right after the war on the basis of building roads for housing to get timber out for housing. We had money going in during World War II on the basis of meeting war needs. While it’s not germane to what you’re raising, timber production in the United States fell in 1942, ’43, ’44 – went down each year during the war, except on the national forests it went up. W.D. Haggenstein of the Industrial Forestry Association used to say ... “During World War II private timber went to war and public timber stayed home.” The implication being, now we’ve got to get in and cut the public timber, because the private timber has been over-cut. The real fact is the reverse. That was because the Forest Service, under the Office of Price Administration, would put up timber sales and allocate timber to a mill that needed some old growth timber to make particular kinds of things that were needed for war material. They would fund the building of the road in there with these special wartime funds; all of it done under regulated prices. You go look at the national forest timber cut and then look at national lumber production in that era and you’ll see that’s what happened. The same thing happened in Britain in certain things. Production went down on some things and went up on others. We built all the bases we needed, and we couldn’t build houses, so the total production of lumber was changing, but specific needs were being met.

AM: Last question that I have. How did the Forest Service feel right after passage of the Multiple Use Act – were they elated?

RW: Euphoric. They’d gotten the Multiple Use Act. They weren’t quite sure, I don’t think, what it was going to do for them. But it’s the way anybody feels after they started out on something, and it turned out that they had to fight to get it and they won. They won without too many crippling blows falling on them.

AM: Did they feel that anything had really changed with regard to how they were going to manage the resources?

RW: I don’t think ... well, you see, the program for the national forests had come out. They had gotten that out from the Bureau of the Budget, they managed to get it out. We had a hearing over in the Senate and Senator Hayden had added a lot of money to their budget. The 1960 election was coming up, which makes any bureaucrat queasy, because he doesn’t know which way it’s going to go. The Nixon/Kennedy election ... the forecasters were split as to which way it
would come out ... so agencies were always concerned because even a change within the same party is going to cause a change. The Bureau of the Budget was a powerhouse, in those days, of its own. Presidents would come and go and the Bureau of the Budget stayed on. There were strong concerns about not funding the Forest Service on lots of things they thought they ought to be funded on. The Forest Service knew that no matter who won the election, the same budget examiners were going to be in the key slots, because they hadn’t politicized the Bureau of the Budget at that point, but the Forest Service felt now we have all of these things, these terms, in law. We didn’t want the definition of multiple use and sustained yield, but we had it really in our letter of transmittal. They’re defined. We’ve got a mandate to do something, and now we are going to start out with a new set of integrated plans. Maybe we’ll get some of the other monies we need. So, it gave them some hope. If it had been beaten, their spirits would have been down because, even if in reality they hadn’t lost anything, losing a battle can be as traumatic as losing a war.

AM: Did the agency perceive that this act would lead to any change in relative emphasis on timber resources, timber management?

RW: Well, I think it was their hope that all things would rise, and that recreation and so forth would rise more, and that they would get to what they thought was high biological balance. I don’t think they thought of it much in terms of financial returns, and that all these things would go up, and the things that were left behind would catch up. But, I don’t think that they had any well-articulated internal view as to what that meant. Does it mean more campgrounds? How do you measure these things? You look at the annual reports and you look at the statistical stuff and they keep talking about uses rising. It doesn’t take very long before they also are saying that we don’t have enough money. We need more money.

AM: This may have been covered somewhere, but were you in the same job all the time from 1956 to ‘60?

RW: From ’56 to ’63, part of the time I was on the payroll of the comptroller general but assigned to work with Congress – the committees of Congress – mainly the Senate Interior and the Public Works committees. From ’59 on, I was on the staff of the Senate Interior and Insular Affairs Committees -- a professional staff member -- but my role really didn’t change. There were relatively few staff people in those days and we worked 60-hour weeks, and you just did a lot of things. Because there was a smaller group of members -- more tightly knit -- and staff, you developed – I guess the modern word is network. And so it wasn’t uncommon for me, particularly because of my involvement with Murray, Mansfield and Metcalf (who had then started in the House) to have good relationships with people in the House -- with people on the House Appropriations Committee staff and the members, and the House Public Works Committee, as well as the Senate and the Interior Committee.

AM: So, if your role didn’t change, how would you describe your role?
RW: Well, I guess I was the only staff person around in those days who was a professional forester on the Hill. For reasons I still don’t understand, a lot of people seemed to ask me what I felt would be a good idea. Did I have some thoughts on this? So, I often found myself working for two different people on two different things, or sometimes on different aspects of the same thing. Because of my association with some other staff people, you ran each of these as an independent operation. The key thing was you worked as hard as you could, as fast as you could. You gave the guy your best advice. You respected his or her judgment as to what they ought to do, and you didn’t tell other people what you had done. You didn’t talk to the press. As my wife used to say—well, she’d be somewhere and people would ask me something—we’d be heading home and she said, “Don’t you ever feel like you ought to say something? It’s always, ‘where did you go?’ ‘Out.’ ‘What did you do?’ ‘Nothing.’” [laughter] You just acted as though you weren’t doing anything because your job wasn’t to act as though you were. I’m not saying I made decisions, but you kind of knew when your advice got taken. The biggest mistake you could make would be to say, “Well, that was my idea.” Because, from my standpoint, if I gave a member some advice and he took it, he was stuck with it. I shouldn’t be saying, if it worked, “That was my idea.” Because if it didn’t work, I wasn’t going to be saying, “Well, that was my idea.”

AM: Maybe it is an unfair question, but you seem to indicate that the Multiple Use Act really didn’t solve the real problem. Did you ever point out to anyone that it wasn’t going to solve the problem?

RW: Yes, somewhere in the file there is a memo that I did to Frank Church on it, at his request. I recognized its utility, as someone who had executive experience, as the kind of thing I would want to have if I were, say, the chief of the Forest Service. But if I had it, I think I would have tried to proceed differently to deal with the issues. I’m not sure I would have proposed it. I would have proposed, in fact there are memos in there, I would have even written it differently. I didn’t object to the concept of multiple use as an idea. I think that we can’t escape getting multiple outputs from land. But my view was that we needed to find conflict resolution devices. I think I felt that even then. The whole problem of these segregated plans—timber plans and wildlife plans—I really thought the Forest service in the ’60s, as they moved toward integrated planning, would achieve more success than they did. In other words, to me the Multiple Use Act was a crutch you had there in case you got lame ... the plan, the way you worked with people on the ground. Then as the environmental era exploded, the Forest Service didn’t devise responses that changed things. Also, as resource managers, I think we fail to realize that in this era, as it was emerging, that the old idea, the Pinchot idea that use is good, development is paramount, was no longer the view that the majority of people held. They could be wrong, but they didn’t hold it. In a representative form of government, unless you can convince the majority that use and development are the right choices, you need to then move back from that at least to get in fairly close tandem with those views.

AM: Did you have any succinct idea of what a conflict resolution device might be?
RW: Yes, I’m going to talk about it at that public land thing, but I’ll tell you what it is right now because I have already written it down. I think that broad gauge advisory boards at the local level, that change regularly, that keep cycling through citizens with diverse views, is the most effective tool a public official can have to keep in touch with what’s evolving in the community. If you don’t want to hear the things you don’t like, you’re heading for trouble. The hardest thing any of us have [to do] is sitting down and listening to people whose views we don’t like.

AM: I think what you are suggesting would be in line with the recommendations of the Bolle committee. It’s also in line with Ernie Gould’s paper about planning on the White Mountain National Forest.

RW: The National Forest Management Act of 1976 says that the secretary of agriculture shall have advisory boards – not may – shall.

AM: NFMA?

RW: Yes.

AM: Section?

RW: Thirteen. I’ll tell you exactly what it is.

AM: We’ll have another session on NFMA. We’ll look it up.

RW: Yes, My speech points out to the land law review group. The Forest Service all these years has ignored it.

AM: Well, they’re a lot in MFFA.

RW: Yes, and I’m going to cite several other things in that talk. But my point is, if the agency doesn’t carry out the law and has to be dragged into court, and there are parts of the law that it isn’t carrying out where it hasn’t been dragged into court, it has problems that it really ought to be dealing with. I have never believed personally, and this may be just part of my bias and upbringing, that I should have to be forced to obey the law. I think it is a duty. It’s an obligation that you have. I’m not saying I’ve never run a traffic light. Without getting into a philosophical discussion of relative crimes … I think that your first duty is to examine the law and then to try, to the very best of your ability, to carry it out. If you don’t like the law, your duty is to petition the lawmaker to change it. If the lawmaker doesn’t want to change it, no matter what the reason, your duty is to keep on carrying it out. That doesn’t mean you have to keep saying you love it. You have a duty to go back and keep saying, “I don’t think this is working.”

AM: It’s always occurred to me that the Multiple Use/Sustained Yield Act was something of a watershed historically in that it seems that, up to and through 1960, the Forest service wanted
to obey the acts that were passed. And from 1964 on it got acts that it really didn’t want to obey.

RW: Well, you know from 1964 on, I must say this, I think that what we’re saying is, when Congress gets the idea of writing a law, when the public gets involved with the thing -- the Wilderness Act is an example -- the Forest Service doesn’t like it. But, if they get the idea, then they want to carry it out. I think this is an unfortunate thing. NEPA is another prime example. When NEPA was being enacted, the agencies all said, “Well, we really don’t need the damn thing, because we do it.” Senator Jackson [said,] “Well, that’s all the more reason to go ahead with it.” Wally Bowman, who I worked with, was the drafter of NEPA -- a large part of it. After it got enacted, or got on its way through, John Erlichman, who happened to have strong environmental internal tendencies, convinced Nixon to say this is a great idea -- sign it, embrace it, hug it. [laughter] So, you remember Nixon signed it with a great flourish. Then the agencies [said], “My God, we’re going to have to conform to this.” Ever since then they have been complaining about NEPA. NEPA is the source of all kinds of problems in the views of some of these people. When we were working on the NFMA (National Forest Management Act) there were sly efforts made to try and vitiate NEPA. Talmadge wouldn’t touch it. [laughter] That’s why you find all these references to NEPA in the NFMA. Every time someone said, “Let’s vitiate NEPA.” Talmadge would say, “No, you’re going to stay with it.” Talmadge was a smart politician, a very able person, and he deserves a lot more credit than he has ever gotten.

[End of Interview]