



Summer 1961

The Case for a Department of Natural Resources

Anonymous Mister Z

Recommended Citation

Anonymous Mister Z, *The Case for a Department of Natural Resources*, 1 NAT. RES. J. 197 (1961).
Available at: <https://digitalrepository.unm.edu/nrj/vol1/iss2/2>

This Article is brought to you for free and open access by the Law Journals at UNM Digital Repository. It has been accepted for inclusion in Natural Resources Journal by an authorized editor of UNM Digital Repository. For more information, please contact disc@unm.edu.

THE CASE FOR A DEPARTMENT OF NATURAL RESOURCES

The following article is offered to stimulate discussion of a controversial subject, and does not necessarily represent the views of the JOURNAL or its councils. To guarantee that attention will be focused on the issues, and not on personalities, the author prefers to remain anonymous.

MISTER Z

Our growing population, our industrial demands for raw materials and our commitments abroad all put pressure on our natural resource base. Our ability to maintain the productive capacity of our soils, forests, water, mineral, and energy sources is in question. Yet United States public policy towards natural resources is developed and administered by a complex, confusing, and conflicting array of agencies, offices, and departments. Large amounts of money, talent, ideas, and ability are directed towards protecting the national interest in developing and conserving our resources. The concrete results of all this effort have been few. An important obstacle to forward planning is the lack of unifying coordination. A symphony orchestra composed of outstanding musicians each dedicated to producing beautiful music will produce only discordant noise in the absence of a conductor. This analogy applies perfectly to current natural resource policy in the United States.

I. THE PROBLEM

Present divisions and duplications of authority restrict true comprehensive development. They pit agency against agency in jurisdictional disputes and in contention for executive and legislative approval. Consider some random examples. There is a running battle between the Forest Service (Department of Agriculture) and the Park Service (Department of the Interior) over the role of recreation on public lands. The Forest Service advocates the multiple-use of forests with recreation just one of many commodities produced. The Park Service argues that such management destroys many of the values of recreation. The result is that much of the administrative energy needed to develop recreational facilities is dissipated in internecine strife. The classic example of the wastes of duplication is in the water resources development field. Four Departments are involved: Interior; Defense (Army Corps of Engineers); Health, Education, and Welfare; and Agriculture. Each Department uses different methods of computing expected costs and benefits from projects; each Depart-

ment stresses different aspects of water development; each Department views the others' activities with a suspicion that borders on the paranoid.

This list of conflicts could be extended indefinitely. The Soil Conservation Service (Agriculture) is promoting the draining of wetlands in the northern midwest while the Fish and Wildlife Service (Interior) is trying to maintain wetlands for waterfowl. The Corps of Engineers is advocating the development of the Potomac River in conflict with the plans of the Park Service for a national park in the area. Undoubtedly the reader can add many more examples to this dreary account of intramural feuds.

The good will and devotion of the agencies concerned is not to be questioned. There are no heroes or villains in this story. The major troubles with present resource policies stem from the administrative organization of federal activities.

The form in which resource conservation and development planning takes place affects the substance of the programs. Irrevocable decisions are made on major natural resource matters within the framework of laws which restrict the developing agency to certain purposes, on the basis of agency traditions, and on the basis of artificially generated political support. Rarely, if ever, are these decisions based on informed judgment about over-all national needs and goals. The result is that present public policy towards resources is indefensible if evaluated by economic, political, or social criteria.

The present situation can be summarized in ten propositions. They are:

1. In nature, the resources of soil, water, forests, wildlife, and minerals are all a closely interrelated whole. Conservation practices designed for their protection, management, and development are similarly related: *e.g.*, water and watershed management, forestry, soil conservation and wildlife, recreational uses of national parks and national forests, mineral development as well as reclamation water developments, flood control and pollution abatement.

As an illustration, consider a national forest. It will usually be the case that in addition to timber, the forest will provide protection for municipal water supplies. The forest will also be an important factor in any program of water pollution control. There may be extensive campsites, picnic areas, and perhaps wilderness trails. Wildlife management will be practiced. A program of soil conservation will likely be undertaken. This latter program will affect downstream navigation, power production, and flood control. Mineral exploration and production may take place on the forest. All of these uses of the forest are interrelated parts of the forest management. Many of these may take place simultaneously on the same land area. Each of them is related to the programs of some other agency in a different Department. Despite administrative divisions, resource management cannot be separated.

2. Natural resource programs of the Federal Government are dispersed and scattered among separate Departments and agencies, although primarily concentrated in Interior. Consider the following list:

INTERIOR

Bureau of Land Management	Bureau of Sport Fisheries and Wildlife
National Park Service	Bureau of Commercial Fisheries
Geological Survey	Bonneville Power Administration
Bureau of Mines	Southwestern Power Administration
Bureau of Reclamation	Southeastern Power Administration
Bureau of Indian Affairs	

AGRICULTURE

Forest Service	Agricultural Conservation Program
Soil Conservation Service	Rural Electrification Administration

DEFENSE (Army)

Corps of Engineers (water development and flood control)

HEALTH, EDUCATION, AND WELFARE

Water supply and pollution control

FEDERAL POWER COMMISSION

Staff develops positions on pending applications, and also provides statistics and economics surveillance—concerning both gas and electric power.

In addition, a number of independent offices or commissions have, or have had, a role in policy formation and management. Examples are: Outdoor Recreation Resources Review Commission, President's Materials Policy Commission, The President's Water Resources Review Commission, and the Tennessee Valley Authority.

3. The scattering of program responsibility among Departments has resulted in a welter of confusion and cross-purposes. This applies both to the development of consistent legislative policy and to program administration. This is especially important at the local level. This situation is spectacularly inefficient and actually dangerous to the public interest in our divided water programs. The present responsibilities of the Federal Government put great strains on the budget. Yet competition among agencies "to get business" contributes to inefficient water resource development and waste of public funds. Water resource development, instead of taking place within a framework of consideration of national objectives and resources, takes place as a result of "logrolling" and "pork-barrel" politics. This is tragic when one considers the expanding demands for water-derived products as well as for all other natural resources.

4. Many conflicts arise because of the special interests of the various agencies. A typical situation in water resource development would find the Corps of Engineers (Defense) concerned with river basin planning and flood control; Soil Conservation Service (Agriculture) concerned with watersheds; Bureau of Sport Fisheries and Wildlife (Interior) concerned with fish habitat and recreation.

Attempts to resolve these conflicts have been made. One popular device has been the establishment of interagency coordinating committees in Washington and on local levels. Nevertheless, lacking any central authority short of the President, the member Bureau and Department representatives on these permissive committees are unable to resolve basic conflicts of interest. Line-operating authority disputes cannot be reconciled by discussion.

This proposition holds even when the coordinating committee is composed of cabinet-level officials. Even here, integration requires presidential directives for each and every issue which arises.

5. For many years efforts have been made to reorganize federal resource development and conservation responsibilities. Secretary Harold Ickes in 1938 desired to change Interior into a Department of Conservation. In 1949 some of the task forces of the first Hoover Commission suggested a Department of Natural Resources,¹ the establishment of which President Truman tried to obtain up until 1951. In his last Budget Message, President Eisenhower suggested that the Army Corps of Engineers' water functions be transferred to Interior.²

President Kennedy's explanation of his decision to offer a Special Message of Natural Resources revealed his concern with the problem of coordination. He said:

This statement is designed to bring together in one message the widely scattered resource policies of the Federal Government. In the past, these policies have overlapped and often conflicted. Funds were wasted on competing efforts. Widely differing standards were applied to measure the Federal contribution to similar projects. Funds and attention devoted to annual appropriations or immediate pressures diverted energies away from long-range planning for national economic growth. Fees and user charges wholly inconsistent with each other, with value received and with public policy have been imposed at some Federal developments.³

The President pledged action in his Special Message to redefine resource responsibilities within the Executive Office, strengthen the Council of Economic Advisers for this purpose, and establish a Presidential Advisory Committee on Natural Resources under the Council of Economic Advisers.

6. Present divisions have no logical justification. With respect to the land resource agencies now in the Department of Agriculture, the Forest Service and the Soil Conservation Service, the supposed justification for the former agency is that "trees are crops," and for the latter that farm lands suffer the most from erosion. Neither claim has validity in fact.

1. Hoover Comm.—Report on Organization of the Executive Branch of the Government, 267 (1949).

2. H.R. Doc. No. 255, 86th Cong., 2d Sess. (1960).

3. Address on Natural Resources, N. Y. Times, Feb. 24, 1961, p. 12, col. 1.

Most Forest Service activity is centered on the management of 180 million acres of public lands, the national forests; that which is directed towards private forestry assistance is kept completely separate from all regular farm crop programs and is not even integrated with Soil Conservation plans on the same ownership. At least half of the private forest lands on which assistance is given are held by non-farm landowners. Even the Forest Service research function is separate from the Agricultural Research Service.

The Soil Conservation Service program is also unrelated to other Agriculture Department efforts. It is concerned with practices for the protection of the basic soil resource, regardless of ownership. It is not integrated with other farm programs concerned primarily with production, marketing, price, and supply regulation. Some of the most serious erosion problems are connected with new highways and suburban developments and have no relationship to farm land.

The Soil Conservation Service program conflicts at many points with programs of the Interior Department, particularly those concerned with fish and wildlife and with reclamation. The conflict over draining of the northern midwest wetlands has already been mentioned. Conciliation of competing soil and water programs is far away.

The division of water agencies among four Departments (Agriculture with SCS and Small Watershed Programs; Interior with Reclamation, Saline Water, Geological Survey, etc.; Defense with Army Corps of Engineers; and HEW with pollution control and water supply programs) has reached the proportions of a national crisis. No real justification has ever been offered for a continuation of the present situation except that it is "politically impossible" to remedy. The rapidly developing water problem is forcing the issue to the point where continued inaction will result in embarrassment to the Administration.

7. Lacking any central responsibility at the cabinet level for resources policy and management, the Bureau of the Budget is forced into the role of coordinator and arbiter between the various agencies. Probably in no other area of federal responsibility does the Budget Bureau exercise so strong an influence and leverage over programming.

The present role of the Budget Bureau exceeds its normal responsibilities. Given the present structure of Federal natural resource activities, it has been the only agency which has any interest in, or capability for, developing a truly national resource program. This is particularly important for the development of new programs. New needs require new activities. The evaluation of goals and means to meet these goals require specialized attention and expertise that cannot be provided by fiscal specialists in the Bureau of the Budget.

8. Natural resource agency appropriations are developed as a group by the Bureau of the Budget and (since 1954) the House and Senate Appropriations Subcommittees, regardless of the fact that functional agencies are scattered among many Departments. The legislative committees in the Congress continue to divide responsibilities along older but less consistent lines.

9. Federal organization of resource activities is in sharp contrast to the organization of those states with the most successful conservation programs. These States, *e.g.*, Michigan, New York, Wisconsin and Minnesota, have single departments which embrace all phases of resource management under central direction.

10. Federal organization of resource activities is also in sharp contrast to the organization of other major Federal programs. Every other sector of federal responsibility, *e.g.*, labor, agriculture, health, foreign affairs, is assigned to a single governmental Department, which is publicly understood to have central responsibility. Unified centers of authority give citizens a sense of involvement in public activity and a concern for the results.

II. WHAT IS NEEDED

Some order must be made out of the present chaos of resource policy. A centralized responsibility under a Department of Natural Resources is a necessity. This is not the only possible change in present organization, but other suggested solutions do not hold much promise.

The most popular alternative suggestion is to create coordinating and advisory committees. The Congress recognizes the need for developing policy and programs related to national needs rather than to the traditions and prejudices of competing agencies. A distinguished group of Democratic Senators in both the 86th and 87th Congresses have sponsored legislation to establish a Council of Resource and Conservation Advisers in the Executive Office of the President in order to coordinate resource conservation on the basis of national goals.⁴

This change would go only part of the way towards providing the necessary coordination. The past history of trying to obtain unity through committees and advisory groups illustrates the futility of expecting much from these proposals. At present, only if the President himself operates as his own Secretary of Natural Resources (to the near exclusion of many other important matters) can the problem of divided authority be resolved. Adding more councils and advisory agencies will merely provide more organizations to coordinate—regardless of the value of the specific contributions the new organizations could make. Present problems cannot be solved by grafting still more decision-making or policy-advising units onto the present structure. We need fewer and more responsible centers of authority. Measures such as interagency committees, cabinet-level coordinating committees, and other forms of direction through consensus have resulted, and will continue to result, in divided responsibility and failure to face up to the need to center authority. The basic problem will remain unremedied and more time, effort, and money will be wasted on efforts to coordinate programs rather than being devoted to the development and execution of programs.

4. S. 2549, 86th Cong., 1st Sess. (1959); S. 239, 87th Cong., 1st Sess. (1960); S. 1415, 87th Cong., 1st Sess. (1961).

At this juncture of American history it is imperative that our resource management programs be accelerated to provide for the increased productivity needed by an expanding population. A broad resource program involving the application of specialized techniques and investments of billions of dollars can be carried out only by a well designed and coordinated federal organization. It is clear that the present clumsy operation of the Government in the natural resources field will not only result in wasteful duplication, but fail to meet the goals set forth. Public disillusion will be inevitable. Nor are the alternatives thus far discussed adequate. A Department of Natural Resources is vital if the Federal Government is to meet its responsibilities for the conservation and development of natural resources.

Because of the present concentration of resource activities in the Department of the Interior, the easiest way to obtain a Department of Natural Resources would be to transfer other resource agencies to Interior. The major obstacle in the past to such a transfer has been the organized special interest clientele of the agencies involved. These groups fear that their relationships to the Government would be affected.

The most adamant group blocking the way to reorganization of federal water functions is the Rivers and Harbors Conference, backed by water development contractors who strongly support certain congressional relations of the Army Corps of Engineers. This, however, is only one example of a general condition. Many other agencies have special interest clientele groups which do not want their interests disturbed. Few agencies or clientele groups have a direct interest in the improved efficiency which could result from a reorganization.

On the other hand, public citizens' organizations such as the wildlife, park, forestry, and similar groups, the League of Women Voters, organized labor, and the several farm organizations are strong backers of an integrated resource program and would probably support unification through reorganization. Business groups sincerely interested in government efficiency would find resistance difficult. Efforts of these groups could be organized to offset the pressures resisting change. The support of these citizens' organizations will be essential.

The time to take this action is during the first year or so of the President's new term before resistances and pressure group policies harden. The President can evoke great public support for this move if he will go directly to the people for support. The present crisis in foreign affairs provides a further reason for taking civil water programs from the Department of Defense.

It is of central importance that a distinction be made between federal programs for protection, management, and development of basic land, water, and mineral resources, including primary extraction (except agricultural crops) and those which deal with product processing, economics, etc. It is the first phase with which a Department of Natural Resources would be primarily concerned.

On the other hand, resource programs which affect privately owned resources and those which affect publicly owned resources should be combined in one De-

partment. For example, direct investment and management, as in the national forests, should be combined with programs designed to aid private owners, such as technical assistance, cost-sharing, etc., for private forest owners. While there are distinct differences between programs for publicly owned resources and those applied to privately owned resources, the techniques and practices followed are so similar in application as to more easily lend themselves to central direction than to split authority. Further, the goals and objectives of the public and private programs are so intertwined that the programs should not be separated administratively.

III. HOW IT SHOULD BE DONE

How should reorganization of the federal natural resource agencies take place? Three possible choices present themselves for centralizing natural resources responsibilities:

1. *Minimum*: Minimum transfer of principal resource agencies and programs now in other Departments to the Department of the Interior with the exception of the *construction* functions of the Army Corps of Engineers. (The planning and water research functions would, however, be transferred to a water development bureau in the Interior.)

This approach would be simply a recognition of the political power of the Corps of Engineers and a means of avoiding their bare-knuckled pressures. It would leave unresolved the problem of coordination of water management and development programs. Although the planning function would be transferred, the Corps would soon find a way to revive this power. In any case the division of responsibilities between the two Departments would continue to result in waste and friction, and inhibit realistic programming in this vital field.

2. *Coordinating Committees*: Another possibility is to have a Council of Resource Advisers and a River Basin Coordinating Council. These are attempts to obtain unification through compromise by establishing another "coordinating" layer between the President and his executive action agencies. Presumably, planning, research, and reconciliation of conflicts would be assigned to river basin groups. The resource advisers would be similar to the Council of Economic Advisers in make-up and duty and therefore largely advisory and without line authority.

Efforts to coordinate through committees have failed in the past because there has been no central cabinet responsibility for program development and execution. The greatest good will is no substitute for authority and responsibility in one cabinet officer. This is particularly important in the formulation of new programs.

3. *Complete*: A complete reorganization would require transfer by Executive Order of all resource agencies from other Departments to Interior, including the Army Corps of Engineers, and a request to the Congress to create a Department of Natural Resources.⁵

The cleanest and most effective procedure would be to transfer all resource functions to Interior and then to concentrate all efforts to gain congressional acceptance. Offsetting the pressure groups opposed to this transfer will be several hundreds of conservation and other organizations which will support complete reorganization. This will take generalship, strategy, and an effective information effort during the 60-day period of grace during which Congress may deny the President's action.⁶

The attached organization chart sets forth the "model" of organization of the new Department of Natural Resources.⁷

The Reorganization Act of 1949⁸ gives the President power to transfer outside agencies to Interior by Executive Order. Legislative authority would be needed to change the name of Interior to Department of Natural Resources.

The organization of resource activities resulting from these proposed changes would centralize all responsibility for development and management of natural resource programs (except for the T.V.A.) in a Secretary of Natural Resources. The Secretary would have an Under Secretary and staff assistants for program coordination, public affairs, and so forth. There would also be an advisory board on natural resource policy with the Secretary as chairman. Regional or river basin planning committees in the field would report directly to the advisory board.

Resource activities would be divided into six groups, each supervised by an Assistant Secretary. This grouping would be basically along resource lines; minerals, electric power, water, parks and wildlife, land, and Indian Affairs. Bureau responsibilities and organization also would be re-defined with the objective of eliminating duplication of effort.

Primary responsibility for program development and management would remain, as at present, with the various Bureaus. However, there would be two, and only two, coordinating levels below the President's level. These would be at the Assistant Secretaries' level and at the Secretary's level.

An organization such as this one would not automatically solve all natural resource policy problems. It would, nevertheless, simplify authority and focus responsibility. It would provide the possibility—now lacking—to develop consistent and coherent resource policies and programs. In the absence of such a

5. Reorganization Act of 1949, 1 U.S.C. § 133z (1949).

6. Note 5 *supra*, § 133z-4.

7. See chart appended.

8. Note 5 *supra*.

change, we can expect nothing better than the present inconsistency, confusion, and deadlock. Change is never easy, but considering the challenge to public policy presented by our future needs for natural resources it is essential. The time is past due for acceptance by the Federal Government of its responsibility to provide clear and decisive leadership in the conservation and development of natural resources. The first and most vital step is to organize a Department of Natural Resources.

Secretary of
NATURAL RESOURCES
Under Secretary

Assistant Secretary
Program Coordination

GENERAL STAFF
Economic Policy and Research
Scientific Policy and Research
Policy and Planning
Districts, Reservoirs, Policy, & Program
Program Control and Progress
Statistical Program Coordination
Regional and State Admin. Offices

Assistant Secretary
PUBLIC AFFAIRS

Advisory Board on
NATURAL RESOURCES POLICY
Chairman: Secretary of Natural Resources

SOLICITOR

Board of River Basin Plans
Review

ADMINISTRATIVE
Assistant Secretary

Assistant Secretary
MINERAL RESOURCES

Bureau of
MINERAL INDUSTRIES
Economic Policy & Analysis
Regional & Technical
Research
Investigations
Statistical Collection and
Analysis (Minerals
Feasibility)

Bureau of
LOANS AND REGULATION
Mineral Exploration
Strategic Speculating
Oil Import Regulation
OGG
Research & O&G Leasing
Non-Indian (preservation
of public interest) (min-
eral) (regulatory) (de-
cisions on natural gas)

Bureau of
MINERALS RESEARCH
Research on Mining
Beneficiation, Explosives, BM
Metallurgy, related to coal,
metals, nonmetals, etc.,
Asbestos, MIM, etc.

Bureau of
GEOLOGICAL SURVEY
Geological Research
Geophysics (Mapping)

Bureau of
MAINE HEALTH AND SAFETY
Health & Safety Standard
Accident Prevention
Safety Training Programs
BIM

Assistant Secretary
ELECTRIC POWER

Bureau of
POWER POLICY & PLANNING
Nepotical, inter-branch
of public interest func-
tions on electric power
National Power System
Planning

Bureau of
RURAL COOPERATIVES
Issues in Cooperation for
Electric and related
development
REA

Bureau of
PUBLIC POWER DEVELOPMENT
AND MARKETING
Allocation and Rate
Formulation, Site Design
Operation &
Construction, and
SIS/SMC
BIA
BPA
SPPA
TVA

Bureau of
WATER RESOURCES RESEARCH
Research, Scientific, Plan-
ning, Control and
Review
Research Contract
Report and Publications
Economic Research
State Dept. Collection
GS
DSW
CofE

Bureau of
WATER RECLAMATION
Weather Modification
Watershed Management
Watershed Treatment
Watershed Forecast
Research and Test
Programs
Research in in-
ternational projects etc.

Bureau of
WATER DEVELOPMENT
DESIGN
Development Planning,
Design & Construction, Test
Programs
Water Control Structures
Cold
Water, Field, Wildlife, and
PWS
Water Pollution Control
Administration, Federal
Chambers & Beaches
Overseas Protection, etc.

Bureau of
WATER DEVELOPMENT
STAFFS & FIELD SERVICES
Administration of Small
Irrigation, Water Control
Structures, Agr. Structures, etc., BOP
on Overville Dam, and other
Water Functions
CofE

Assistant Secretary
WATER RESOURCES

Assistant Secretary
PARKS AND WILDLIFE

Bureau of
RECREATION PLANNING
AND RESEARCH
Recreation Development
Planning
Research (Estimates
Estimate)
ORRC
NPS
BIA

Bureau of
COMMERCIAL FISHERIES
No change

Bureau of
SPORT FISHERIES
AND WILDLIFE
No change, except planning & re-
search

NATIONAL PARK SERVICE
No change, except planning & re-
search

Bureau of
LAND SLIDERS AND RESEARCH
Land Slides
Local Land Use
Planning
Cultural Survey
Geographic Mapping
BIA

BUREAU OF
PUBLIC LAND
ADMINISTRATION
Land located on the total
of public lands
Administration of oil public
lands, outside the National
Bureau, & grazing districts

BUREAU OF
SOIL CONSERVATION SERVICE
Watershed and conservation
Administration of soil
conservation programs
on private lands
SCS
BIM
BIA

FOREST SERVICE
Federal (over adminis-) FS (USDA)
tration and marketing BLM, BIA
GRAZING SERVICE
Grazing land, adminis-) FS (USDA)
tration and leasing BLM, BIA

Assistant Secretary
LAND MANAGEMENT

Assistant Secretary
INDIAN AFFAIRS

Office of
INDIAN RELATIONS
Tribal Relations
State and local Gov. Relations

Office of
INDIAN COMMUNITY
SERVICES
Direct Services, and State Relations
on Community Services

Office of
INDIAN RESOURCES
Land, Forest, and Mineral Resources
Development, Technical Services
Special Programs (In-
dustrial Development)

REGIONAL RIVER BASIN
PLANNING COMMISSIONS

FIELD OFFICES, LABORATORIES, AND OPERATING INSTALLATIONS