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FIRST CLASS

Sunday Editor
Yakima Herald
Yakima, Wash.

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Congressman Aspinall went on to say, "The Taylor Grazing Act provided the mechanism and set the policy for stabilizing use by the domestic livestock industry of the public domain which was not appropriated for other purposes." He then raised the question of whether it is as valid today as it was in the 1930's. He raised the question as to whether there should be differing sets of rules on the different types of publicly held lands utilized for grazing. He also raised the question of how should future use of lands now in grazing districts be determined and managed. These are questions which may be answered in the next few years.

We in the Bureau of Land Management carry out the policies of Congress to the best of our ability. It is the laws passed by Congress that set policy. Under the guidance of the President and the Secretary of the Interior, we try to administer the laws laid down by the Legislative Branch.

We also consider ourselves to be an integral part of your important industry because the public lands supply over three million AUMs of grazing to your members. Just as your organization has changed as a result of internal and external circumstances, so the administration, policy and direction of public land management have changed and will change.

Today I want to talk with you about some of our operational activities--programs that are underway and what they will mean.

With the completion of grazing adjudication imminent, in the late 1950's the Bureau turned toward the implementation of improved management systems. In my six months as director I have reviewed the steps that have been taken and those underway. Basically, these are outlined in the October 1965 issue of the National Wool Grower. My objective is to continue the progressive, co-operative program with the livestock industry along the lines outlined in that statement.

Multiple use management is not merely a Federal program. Its success rests upon the cooperation of many. For example, there are 26,500 ranchers whose 2.2 million cattle and 5 million sheep graze on the public domain lands. Additionally, there are 20,000 ranchers who utilize national forest lands to provide essential feed for 1.4 million cattle and 2.1 million sheep. In broad figures, there are 40,000 ranching families with 10 million head of livestock who depend to some degree on Federal lands in grazing.

Just as multiple use is essential for sound grazing management, so is the co-operation and assistance of the 40,000 ranching families who utilize the public lands essential to the success of multiple use.

Sustained and proper use of forage is a part of the foundation for multiple use management on the public domain range lands. Wise grazing practices are the key to the proper utilization and protection of forage. Thus, livestock grazing will continue to be an important part of multiple use management. Its success will require the combined efforts of the livestock industry, the Bureau and the others interested in public lands.

Passage of the Classification and Multiple Use Act of 1964 added emphasis to a policy for the public lands which already had the support of the majority in the ranching enterprises as well as others concerned with the public lands.

We recognize the ever-increasing interest for greater and more diversified use of the public lands and for access to them. We appreciate your concern on the impacts they may have on grazing. I would like to talk briefly with you about some of these issues.

Tenure

Tenure and its importance to the rancher have been a subject of considerable discussion. The word itself comes out of the French term "tenire" meaning "to hold." When one has tenure he is considered capable of holding or maintaining his position against attempts to take or dispossess his position. Degrees of tenure range all the way from outright private ownership to a protected privilege to use land for only one of its many potential uses.

The Taylor Grazing Act by its very terms provides the livestock industry with a unique position on the public lands. So long as the licensee maintains his base property and couples it with "good management" he is entitled to his grazing license. The test in the law is neither who has ranch property nor who is the best rancher. The law awards the license to that person who has a history of recognized prior grazing use--both on a base ranch and the public lands. This, in and of itself, is a substantial tenure position.

Additionally, there are some 25 to 30 provisions of the Federal Range Code which add to the stability of tenure. One is the Advisory Board system itself--which assures that the views of local ranchers will be weighed. Another is the appeals procedure, providing for a thorough examination of decisions which could affect tenure. Grazing regulations promulgated by the Secretary have had general industry approval. Certainly, if these rules did not meet agreement by the majority of the users, we would be besieged with requests for their complete overhaul.

The Taylor Grazing Act provided the statutory base for changes in land use by a system of classification. These changes can extinguish part or all of a grazing license. In fact, however, there have been relatively few disposals since 1934 that have had an appreciable impact upon grazing. However, there have been other types of changes in land use. The withdrawal of land for military purposes and the creation of parks have had impacts upon some grazing licenses. An amendment to the Taylor Grazing Act provided that the withdrawal of land for military purposes could bring compensation for reduced grazing use.

The issue of tenure has been discussed mostly from the standpoint of compensation when there is a reduction in the grazing license, rather than from the standpoint of firming up a grazing use against a competing use for the land. We think that both subjects qualify for review by the Public Land Law Review Commission. These are certainly subjects which can be settled only by Congressional enactment.

The point I want to make is that livestock grazing use has strong tenure on the public lands. It is protected by law and by regulation assuring the existing users priority positions for grazing, so long as the land remains under BLM administration and good range management practices are followed.

Land Classification

Since July 1965, BLM has received about 10,000 applications for land. These activities resulted in the classification of about a million acres under Sections 7 and 8 of the Taylor Grazing Act. Of those, 700,000 acres were classified for disposal, and 300,000 acres were classified as not proper for disposal. These applications involved a variety of types, mainly state selections and exchanges. But we are still receiving applications for homesteads, only a few of which can be approved for entry.

The 1964 Classification and Multiple Use Act specifically continued in full effect the existing system of public land laws. It has added, however, several new dimensions to public land management. Among these is an active program of land classification to permit more prompt and sound public land decisions. Another is the provision for full local public participation in the land classification process. This local participation is particularly important to the continued tenure of existing users.

Since 1964 we have moved forward with the review required by the Classification and Multiple Use Act. The Act requires local and Federal Register publication of individual classifications which involve more than 2,560 acres. So far, we have completed disposal classifications covering 133,000 acres and have published proposals to classify an additional 183,000 acres for disposal.

For multiple use management, one and one-half million acres already have been classified. Proposals to classify an additional 11 million acres have been published.

We expect this year to complete the classification of 50 million acres of public domain.

On the basis of our work so far, it appears that the bulk of the public lands in the western states could fall into the retention category with full multiple uses continued. A growing America means a growing demand for lands serving the maximum number of people in the maximum number of ways. A well-planned and effective multiple use program is essential to accomplish this vital need.

Range Management Progress

Proper range management complements and forms the basis for the total multiple use program on range land. Users, cooperating with the Bureau, have developed plans over the past few years which have led to substantial progress in improved management. The Bureau has increased its emphasis on watershed protection, wildlife management and recreation. This, coupled with your interest in rotation grazing, proper season of use and wise livestock distribution, is achieving multiple-use benefits. Some of the tools of management, such as reseeding, fencing, brush spraying and water development, are improving plant cover and vigor while controlling erosion and improving watershed conditions. Stopping erosion, and healing of gully scars, improve not only the land itself but the beauty of the land.

But it is such steps as you are taking under various rotation grazing systems that will actually improve watersheds the most. The range that fattens your sheep best is the range that also pleases the eye of the city dweller from Los Angeles, San Francisco, Phoenix or Denver. Good range management will gain understanding of the contribution livestock users make to grassland conservation. You have done a lot; working together, we can do more.

Predator Control

The control of predators is a vital aspect of land management and livestock management. We are pleased that the Bureau of Sport Fisheries and Wildlife has a new division of Wildlife Services which includes provision for a revised animal control policy. In our case, the new policy provides that BLM personnel, working with user groups, will identify areas where animal control may be required to meet management objectives. The need will be determined through consultation with local users and groups. When need for predator control has been established, personnel of the Division of Wildlife Services will provide the technical advice in planning and conducting the control work.

We in the Bureau are looking forward to close cooperation with the Bureau of Sport Fisheries and Wildlife, and with you, to assure that an effective predator control program is carried out.

Range Improvements

Recently the Bureau requested range users to file application for authorization of range improvements on the public lands which have not been previously authorized. Some have questioned the necessity of this action. We believe it will be helpful to you. Principally this will give up-to-date information on improvements to plan investments and other steps needed to provide you with the best possible opportunity to realize the full benefits from public land utilization. Also it will protect the investments range users have made in the event that public lands are transferred to other ownerships.

New Budgeting Procedures

On a government-wide basis a system known as Programming-Planning-Budgeting has been instituted. Its purpose is to achieve the wisest allocation and use of government funds. While the techniques of automation are being used in this system, it is not one which is operated by a machine. What we are trying to do is improve our ability to decide on the best conservation benefits for our expenditures. We have to take into account all the factors that any wise conservationist would consider. As always, there have been difficulties in placing values on many of the intangible benefits derived from improved range conditions. Such things as erosion prevention, improved water quality, wildlife values, aesthetic values and stability of local economies continue to be difficult to evaluate in precise figures. We are going to be working with the livestock industry, with conservation groups, research agencies and others to obtain the most reliable benefit evaluations possible.

Base Property Requirements

The language of the 1934 Taylor Grazing Act recognized the need for strict base property requirements. It sought to stabilize the livestock industry dependent upon the public lands. It just about eliminated the nomadic operator. Legitimate questions can be raised as to whether all of these requirements are still necessary.

The adjudication phase is now nearly over. The grazing use has been largely allocated. You are going to be considering whether a more simplified method of base property requirement would help you as range users and us as administrators by reducing red tape and record keeping.

We think there are legitimate questions as to whether the public land administrator should be concerned with what happens to livestock when on private lands.

These are questions which we will be exploring with the industry and in turn with the Public Land Law Review Commission as we work with Chairman Aspinall in the effort his Commission will be making to determine whether the mechanism of the Taylor Grazing Act and its purpose are as valid today as they were in the 1930's.

Grazing Fees

As you know, after a careful consideration it was concluded that the public interest would be best served with joint action by the Bureau of Land Management and Forest Service on revision of the grazing fee structure. We have been extremely pleased with the cooperation given in developing basic economic information upon which to make recommendations for future grazing fee structures. This Fall, when a subsample was completed, it was evident from the data that any proposed adjustments in grazing fees should be delayed until the results of the total study were available. The Statistical Reporting Service, the Forest Service and the Bureau of Land Management, working with you and other interested groups, will be considering this question in the months ahead.

The study that is underway involves a statistical sample based upon 10,000 interviews of western ranches and financial institutions. The field data collecting is done. It will take until about May for the Statistical Reporting Service to compile and summarize the data. The Interdepartmental Grazing Fee Committee will then make its analysis and propose methods for fee determination to be used by the two agencies beginning in 1968. We expect that this will be ready for discussion in mid-1967. We intend to give this subject wide public notice, going beyond the discussion with local Advisory Boards and the special subcommittee of our National Advisory Board Council to many interested groups.

I do not expect that everybody will be unanimous on where the facts should lead us on this complicated and difficult issue. We do appreciate the cooperative attitude displayed by members of your industry with the Statistical Reporting Service. It has been most gratifying.

We have used the comprehensive study approach in order to achieve three goals.

First, in view of the public discussion on whether grazing fees are at the proper level, a long-term settlement of this issue would enable all involved to turn their efforts to the more important issue of efficient land use on the public lands under the concept of multiple-use management.

Second, gathering basic data would give all--the ranchers, the administrators and the other using publics--solid information on the value and costs of Federal land grazing.

Third, the public interest will be better served if the Federal agencies use a common basis for determining the value of a similar product.

I am here today not only to report to you, but also to hear your views on where we should go in the future. The art of Government involves gathering the views of people on the problems they face, analyzing and discussing these vital issues with them and with others. It then involves cooperating on a course of action designed to meet the public interest. This is my goal. Therefore, as we visit together, I shall look forward to your counsel on the challenges that need our mutual attention.

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News Editor
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Yakima, Wash.

IND 5

★ news release

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UDALL HAILS INCREASED PARTICIPATION OF INDIANS IN PUBLIC LIFE

Secretary Udall noted that the number of American Indians being elected to public office is increasing and said this signals more Indian participation in the major currents of national life.

"Fifteen Indians are now being seated in six western state legislatures as they convene for their sessions this year," Udall said, "and other Indians are taking office as judges, county officials, and others of public trust. It is noteworthy that several are women."

"We know this marks a distinct gain in Indian country, although specific figures for other years unfortunately are not available in depth. It is quite clear that the 1966 elections marked a greater acceptance by Indian people of their role as fully participating citizens, and a wider recognition by their fellow Americans of the contributions Indians can make to public life."

In addition to the legislators, two Indians were elected to state court benches; one as a justice of the peace; one as clerk of a state supreme court; one as county attorney; and three to other county posts. In the Congress of the United States, Ben Reifel of South Dakota, an Indian, was elected to his fourth term as a member of the House of Representatives.

Following is a tally of Indians elected to State and local offices:

Arizona

The Arizona Legislature has, in Rep. Lloyd L. House, the first Indian ever elected to that State Assembly. House, whose father was a Navajo and mother an Oneida, follows a reservation tradition begun two years earlier in New Mexico when two Navajos were elected to the State Legislature.

"I expect to be the image of the Indian in the Legislature, and I know that whatever I do is going to reflect upon the Indian," House said recently. "Therefore, I'm going to do my utmost to work with such diligence at my duties as a legislator, and maintain the highest standards of deportment so as to reflect favorably upon all Indians."

New Mexico

The New Mexico side of the Navajo Reservation increased its representation at the capital in Santa Fe this year by electing three tribal members, Sen. Tom Lee, Rep. Jake C. Chee and Rep. Wilbert C. Begay. All three are

freshmen lawmakers, since the two incumbent Navajos were defeated at the polls.

The three will meet in the State's new Capitol designed in the shape of a Zia, the Zuni Indian symbol for the sun, which is also featured on the New Mexico flag.

Although the Zunis and the Navajos once were enemies, the Navajo legislators would agree that their interests now have much in common and are joined with the interests of Indians across the Nation.

Idaho

In some instances Indian office seekers have been assisted by large numbers of fellow tribal members in their districts, but a large Indian constituency is not an essential for success at the polls.

Joseph R. Garry, a member of the Coeur d'Alene tribe and President of its Tribal Council, was elected to the Idaho State Senate although only 200 Indian votes were cast in a total voter turnout of 18,000 in his district.

Garry says he is a believer in the theory that a small but effective group can hold a balance of political power that can help it win support for its needs and aspirations.

Garry also believes that in politics, "you have got to get in and start working at the precinct level. Indians should be precinct committeemen, they should work to fill all of the minor offices that go with political organizations and we still have to work to get Indians to vote. Voter education and registration should be encouraged at every step of the way."

Montana

The Flathead and Blackfeet Indians have been putting Garry's principles into practice. The Flathead Reservation sent Jean A. Turnage to the State Senate and elected Henry Burland a Justice of the Peace. The Blackfeet helped elect Percy DeWolf to the Montana Senate and at the county level, Aileen Sparger was elected County Superintendent of Schools; Mary L. Nanini, County Clerk and Recorder; Violet Durham, Clerk of Court; and Don S. Welch, County Attorney.

Oklahoma

Political veteran Clem McSpadden, a Cherokee, has been elected President pro-tem of the Oklahoma State Senate. Also serving in that body are Robert M. Murphy, Cherokee; and John Massey, Choctaw.

Andy Payne, Cherokee, was elected Clerk of the Oklahoma Supreme Court and Judge Hez Bussey, Cherokee, was returned to the Bench of the State's Court of Criminal Appeals.

Alaska

Two Indian tribes and the Eskimos will be represented this year in the Alaska Legislature which will consider, among other things, the possibility of establishing an Alaskan Department of Native Affairs.

Two members of the House of Representatives will be the first Athapaskan Indians to sit in that body -- Jules Wright, President of the Fairbanks Native Association, and John Sackett, a 22-year-old honor student at the University of Alaska. Both placed strong emphasis in their campaigns on the need for more State attention to Native problems.

The other natives in the Alaska Legislature are Sen. Ray Christiansen, and Rep. William Hensley, both Eskimos, and Rep. Frank See, a Tlingit.

Grass roots political activity is new to the majority of American Indian groups. Yet the history of this country is threaded with Indian participation in national affairs. The federated structure of the Iroquois Nation is said to have greatly influenced the thinking of the Founding Fathers. Oklahoma's first delegation to Congress included an Indian senator; and that State also produced a Vice President, Charles Curtis, who was of Kaw-Osage extraction.

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Sunday Editor
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★ news release

For Release January 27, 1967

Secretary of the Interior Stewart L. Udall today announced a five-point action program to promote economic recovery of shale oil and associated minerals from the rich oil shale resources of the Green River Formation in Colorado, Wyoming and Utah. It is estimated that known oil shales of the area contain the equivalent of about 70 times the present domestic proved reserves of crude petroleum.

The Secretary pointed out that mounting energy demands in the United States made it increasingly important to develop oil shale to the point where it can begin to make a contribution to meeting U. S. energy needs.

-- Action to clear title to public oil shale bearing lands of the three-state area. This will involve withdrawal of oil shale lands from all mineral entry other than for oil and gas leases, the initiation of examinations and contests to remove clouds on title arising from oil shale and other

mineral claims, and restoration of sodium to withdrawn status except where the Secretary specifically finds that particular sodium deposits can be extracted without damage to the oil shale resource. Pending sodium preference right lease applications will be promptly considered on their merits.

-- A "blocking-up program" in which the Secretary will give consideration to applications from private owners of scattered oil shale lands to exchange part of them for Federal lands of similar quality as to mineral and other physical characteristics. The purpose of these exchanges would be to permit some consolidation of private holdings which are at present too scattered for efficient mining operations. Under this program the Secretary will consider applications for blocking only where the applicant agrees to a time schedule and investment commitments for the development of economic mining and recovery operations. Applicants will also be required to agree to develop the blocked up lands in accordance with the best conservation principles, both with regard to maximizing the mineral values to be recovered and to minimizing damage to the environment.

-- As the third point of the Department's oil shale program the Secretary will announce procedures which will permit the Department to consider applications from individual firms and combinations of firms for provisional developmental leases of oil shale lands. Under this part of the program, it is contemplated that the Department will contract with interested parties for a variety of approaches to the development of economic processes for the recovery of oil and associated minerals from shale. Applications for contracts would describe the process sought to be developed, a commitment of research and development expenditures, a time schedule within which these expenditures would be made, and the approximate volume and location of oil shale and associated minerals required to support operation of a commercial plant if the research and development project is successful. Parties to such contracts will be permitted access to the necessary acreage of oil shale lands for testing purposes, but leases for larger tracts for commercial development will not be issued until the research and development contract has been successfully performed. Leases will contain firm assurances that a commercial scale plant will be constructed, and that good conservation practices will be observed in the commercial operation.

-- A fourth program will seek to enlist the Atomic Energy Commission and private capital with the Department of the Interior to find ways to retort the oil from the shale in situ. Underground atomic explosions will be researched as a means of fracturing deep deposits of shale, and making possible the retorting of the shale without ever bringing it to the surface. Such a program, if found technically and commercially feasible, would go far toward solving the difficult problems of protecting the landscape of the Green River Formation area from the scars of traditional mining and processing of minerals. The organic matter (kerogen) present in the rock formation known as oil shale is a solid that is converted to a liquid by heating. The concept of underground retorting is that the shale first should be broken into small pieces by a massive explosion. Thereafter heat would be applied to the broken shale, and the liquid oil pumped to the surface.

-- Finally, the Department will request funds for a broad program of research and investigation by the Geological Survey, Bureau of Mines, and Bureau of Land Management. Some of these research projects will involve close cooperation and joint participation with other Federal agencies, industry and public and private research facilities. Objectives of this part of the program will include the development of more information on the location, characteristics, and values of the oil shale and other mineral resources of the Green River Formation, and of better technology for resource development consistent with sound principles of conservation and environmental control.

"A major concern in developing the oil shale program," the Secretary said, "has been to enunciate policies and procedures that will protect the public interest fully, and at the same time will offer reasonable incentives to private capital to participate in an accelerated research and development program.

"The public interest requires," he said, "that in our efforts to develop the technology of extracting oil from shale, we write into every rule, regulation, contract, and permit affecting the public lands those terms and conditions that will:

- Encourage competition in development and use of oil shale and related mineral resources;
- Prevent speculation and windfall profits;
- Promote mining operation and production practices that are consistent with good conservation management of overall resources in the region;
- Encourage fullest use of all known mineral resources;
- Provide reasonable revenues to the Federal and State Governments.

"We intend," the Secretary said, "to seek the broadest possible participation in the development of our oil shale resources. The public lands in the region, representing the largest untapped source of hydrocarbon energy known to the world, belong to all of the people and must be used for the benefit of all the people."

The Secretary emphasized that the contracts involved in Point 3 of the oil shale program will involve two distinct phases. The first phase, in which the contractor expends research and development funds, will require only small acreages of public lands necessary for research and development operations. The second phase, reached only when the research and development work has proved successful, will require acreages large enough to assure an adequate supply of oil shale and other minerals for a commercial operation of specified capacity over an agreed term of years.

Total Federal holdings of oil shale lands approximate seven million acres, but these holdings vary widely as to the richness and thickness of the shale.

"I do not underestimate the difficulties that will attend all five parts of our program," the Secretary said. "For at least 50 years legal, economic, and technical difficulties have stood in the way of efforts to develop the Nation's oil shale resource. To bring this program to fruition may take more than a decade, but if we are to realize the potential of our vast oil shale resources we must undertake intensive efforts now."

Although oil shale deposits are found in several States, the richest deposits are found in the Green River Formation of Colorado, Utah and Wyoming. It is in this area where the Department anticipates the greatest interest under Point 3 of its program.

The amount of oil that can be recovered will depend upon technology and economics. The Green River deposits extend over about 16,000 square miles and include several geologic basins. The total thickness ranges from a few hundred feet to more than 2,000 feet and the potential oil yield ranges from a few gallons to more than 65 gallons per ton of shale. The Federal Government has title to about 72 percent of the total oil shale acreage with potential yield of at least 15 gallons per ton; this amounts to about 79 percent of the estimated equivalent oil in place. Some of this acreage, however, is the subject of mining claims not yet adjudicated. The remaining acreage is owned by the States or private individuals or companies.

The Bureau of Land Management will today submit an application for a withdrawal order and the Department will begin to take the other steps necessary to clear title to the Federal oil shale lands.

Proposed regulations setting forth the terms and conditions under which the Department will administer the oil shale program should be promulgated within sixty to ninety days.

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