

U. S. CONGRESS. SENATE.

# JAMES G. WATT NOMINATION

J60  
E57  
97th  
NO. 1-21  
DOCS

HEARINGS  
BEFORE THE  
COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

FIRST SESSION

ON THE

PROPOSED NOMINATION OF JAMES G. WATT TO BE  
SECRETARY OF THE INTERIOR

JANUARY 7 AND 8, 1981

Publication No. 97-1

PART 1



DOCUMENTS DEPARTMENT

APR 8 1981

LIBRARY  
UNIVERSITY OF CALIFORNIA

Digitized by Google

Printed for the use of the  
Committee on Energy and Natural Resources

U.S. DEPOSITORY

JAN 30 1981

Original from  
UNIVERSITY OF CALIFORNIA

Unless Mr. Watt states unequivocally that he intends to end the Interior Department's subservience to the interest of the energy industry, we would urge that the committee reject his nomination.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Last, but certainly not least, Mr. Kimball.

**STATEMENT OF THOMAS L. KIMBALL, EXECUTIVE VICE  
PRESIDENT, NATIONAL WILDLIFE FEDERATION**

Mr. KIMBALL. Thank you, Mr. Chairman. My name is Thomas L. Kimball. I am executive vice president of the National Wildlife Federation, the Nation's largest conservation organization. And I appreciate the opportunity to appear before this committee to testify on the nomination of James G. Watt for the position of Secretary of the Interior.

I am testifying today on behalf of the federation at the direction of the federation's executive committee, the decisionmaking body of our board of directors.

To begin with, I am a Westerner, born and raised. I have directed State wildlife resource agencies in the States of Arizona and Colorado. For the past 20 years, I have been the chief executive of the National Wildlife Federation, an organization with a broad membership in each of the Western States, an organization dedicated to the conservation and wise use of our Nation's natural resources.

In short, I have been in western lands issues all my life. For the federation, these issues and the man selected to resolve them—the Secretary of the Interior—are of first importance.

The nomination of Mr. Watt forces this committee to reconcile two principles of public policy. The first is that the President must be allowed to have his own people implement his policies. On the other hand, the Senate owes a duty to the people of this Nation to confirm people who are committed to balanced administration of the laws of the United States. To do this, the Senate will have to, on occasion, ask hard questions and get clear answers.

The National Wildlife Federation is not here to urge that Mr. Watt's nomination be accepted or rejected. Nor are we here to question Mr. Watt's integrity or competence. We are here to ask you to seek and to obtain assurances that Mr. Watt will fairly represent the full public interest in the public lands—including lands not to be managed for multiple use or for economic development—and that his administration will be clearly divorced from those corporate client interests and positions he has represented in the past. We have followed these hearings closely. I doubt that many can say at this point that these assurances have been provided or are clearly understood.

Our first concern is with the philosophy of the Secretary of the Interior toward public lands resources.

For example, the Federal Land Policy and Management Act of 1976 requires that "the public lands be retained in Federal ownership unless \* \* \* it is determined that disposal of a particular parcel will serve the national interest." The statute favors public ownership. Yet, Mr. Watt is an acknowledged supporter of the Sagebrush Rebellion which has as its goal the transfer of lands to

State and private ownership. Does Mr. Watt favor the transfer of Federal lands, or does he not?

The same law also requires that the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resources, and archeological values. These values are noneconomic and cannot be protected through reliance on the private marketplace. Yet Mr. Watt has described his future agency as a bureaucracy that works overtime developing endless, restrictive regulations; current Federal management is a lock-up by an oppressive landlord.

Are conservation safeguards what he has in mind? If so, exactly which ones? Water quality? Erosion controls? Instream flows for western fisheries? If not these, what?

Similarly, the National Wildlife Refuge Act requires the management of National Wildlife refuges for refuge purposes. The Secretary is authorized, however, to permit private development where it is consistent with operation of the refuge.

Here, then, is an area of considerable discretion. Mr. Watt, however, has advocated the broadest possible application of multiple use on public lands. Does this philosophy extend to wildlife refuges? Which additional uses would he allow?

In the area of water resources, Mr. Watt has taken positions challenging the right of the Federal Government to water for refuges, parks, and other Federal reservations. Will the new Secretary assert Federal water rights for the Federal domain? Under what circumstances? For what purposes? At all?

Returning to wildlife, more specifically, and to migratory waterfowl, there is a critical need to complete that acquisition necessary to perpetuate the migratory waterfowl base in our country. Over 40 percent of the congressionally established target remains to be acquired. The Department of the Interior is responsible for the acquisition program. Mr. Watt is on record in opposition to additional public land acquisition.

In these hearings, in response to a question on refuge acquisition, he again stated his preference for management of the lands we have before acquiring new ones. Does this preference apply to the migratory waterfowl habitat acquisition program? Will he decelerate the pace of acquisition—although by so doing we may lose the opportunity forever to acquire and maintain these lands for waterfowl production?

We are also concerned about Mr. Watt's connections to the very resource development interests he will be required to regulate, and in some cases oppose, in carrying out his duties as trustee of our Nation's natural resources. For example, only in the recent past:

Mr. Watt has argued on behalf of irrigation interests against enforcement of the 160-acre limitation on acreage benefited by Federal water projects, although the Department is committed to enforcement of the 160-acre statutory limitation;

He has argued on behalf of cattlemen and woolgrowers against reductions in grazing allotments, although his Department is responsible for correcting the rapid deterioration of our national grazing lands;

He has argued on behalf of oil and gas interests for oil and gas exploration in wilderness study areas, although his Department, in conjunction with the Department of Agriculture, is mandated to protect areas for possible wilderness designation.

We do not question here the merits of these cases. We do question whether Mr. Watt has adequately divorced himself from them and the clients and board of directors who benefited from them. These clients and board members are among the major development users of the public lands.

Our concerns are magnified by the recent announcement that Mr. Watt intends to appoint Mr. Steven Shipley, vice president of Mountain States Legal Foundation, in charge of solicitation of corporate contributions, as his executive assistant.

We urge this committee to question Mr. Watt on what measures he intends to take to protect himself, and his Department, from the efforts of these resource developers to take advantage of their special relationship in a manner that will raise conflict-of-interest questions. For the dozens of permits, lease applications, mining plans, and other decisions pending in the Department by financial supporters and clients of Mountain States—and for the Department initiatives opposed by them—how clearly has this line been drawn?

Does a letter severing connections from Mountain States cases—whatever may be the minimum required by law—insure that conflicts will be avoided? What will the rules of access be for companies Mountain States has represented in actions against the Department? For members of the board of directors of Mountain States? For substantial contributors to Mountain States? For the clients and board members of the other six public interest law foundations with which Mountain States is affiliated?

Will there be equal access for those groups which do not seek economic profit from the public lands? By what means would Mr. Watt assure access by conservation organizations such as National Wildlife Federation? Will he have an executive assistant as well who is from a conservation, not commodity user, background? Will he consult with the conservation community on the selection of such an individual, and on those persons who will run the conservation and resource agencies in his Department?

These are not trivial questions. They are important to the balanced administration of the public lands and resources, and the public is entitled to clear answers and assurances on them.

We do not say today that Mr. Watt cannot provide them. We do say and we think it is clear to everyone that they haven't been provided yet.

The National Wildlife Federation has a history of nonpolitical, bipartisan support for the efforts of all administrations to promote the wise use and conservation of our natural resources. As a westerner, I am well aware of both the need to develop our public resources and the vulnerability of these resources to ill-considered or ill-planned development.

In the interest of balancing these two, this committee should provide the full Senate and the American public with fuller answers to the important and essentially unanswered questions before it today. Thank you.