IN THE SENATE OF THE UNITED STATES

June ( ), 1956

MR. HUMPHREY (for himself, ) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs.

A BILL

To establish on public lands of the United States a National Wilderness Preservation System for the permanent good of the whole people, to provide for the protection and administration of the areas within this System by existing Federal agencies and for the gathering and dissemination of information to increase the knowledge and appreciation of wilderness for its appropriate use and enjoyment by the people, to establish a National Wilderness Preservation Council, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System. As hereinafter provided this System shall be composed of areas in the United States and its Territories and Possessions retaining their natural primeval environment and influence, which areas shall serve the public purposes of recreational, scenic, scientific, educational, conservational, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.
(b) The Congress recognizes that increasing populations, accompanied by expanding settlement and growing mechanization, are destined to occupy and modify all areas within the United States, its Territories, and Possessions except those that are set apart for preservation and protection in their natural condition. Such preservation of areas of wilderness is recognized as a desirable policy of the government of the United States of America for the health, welfare, and happiness of its citizens of present and future generations.

It is accordingly declared to be the policy of Congress (1) to secure the dedication of an adequate system of areas of wilderness to serve the recreational, scenic, scientific, educational, and conservation needs of the people and (2) to provide for the protection of these areas in perpetuity and for the gathering and dissemination of information regarding their use and enjoyment as wilderness. Pursuant to this policy the Congress gives sanction to the continued preservation as wilderness of those areas Federally owned or controlled that are within national parks, national forests, national wildlife refuges, or other public lands, and that have so far retained under their Federal administration their primeval character. It is pursuant to this policy and sanction that the National Wilderness Preservation System is established. Within the units of this System designated for inclusion by this Act, and in those that may later be designated in accordance with its provisions, the preservation of wilderness shall be paramount.
(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a member of the natural community who visits but does not remain and whose travels leave only trails.

For the purposes of this Act the term "wilderness" shall include:

(1) The wilderness, wild, roadless, and primitive areas as presently designated by the Secretary of Agriculture or the Chief of the Forest Service within the national forests;

(2) those units within the National Park System herein or hereafter designated as units of the National Wilderness Preservation System, except those portions set aside hereunder for roads and accommodations for visitors;

(3) the national wildlife refuges and ranges herein or hereafter designated as units of the National Wilderness Preservation System, except those portions set aside hereunder for roads and installations of buildings and other facilities;

(4) the areas within Indian reservations classified as roadless or wild and included in the National Wilderness Preservation System with the consent of the tribal council or other duly constituted authority; and

(5) such other areas as shall be designated for inclusion in the National Wilderness Preservation System in accordance with the provisions of this Act.
Sec. 2. The National Wilderness Preservation System (hereafter referred to in this Section as this System) shall comprise (subject to pre-existing private rights, if any) the Federally owned or controlled areas of land and water provided for in this Section and the related air-space reservations.

(a) This System shall include the following roadless, wild, and wilderness areas within the national forests:

Caribou, Little Indian Sioux, and Superior Roadless Areas, Superior National Forest, Minnesota; Chiricahua Wild Area, Coronado National Forest, Arizona; Galiuro Wild Area, Crook National Forest, Arizona; Sierra Ancha Wild Area, Tonto National Forest, Arizona; Mount Zirkle Dome Peak Wild Area, Routt National Forest, Colorado; Gates of the Mountains Wild Area, Helena National Forest, Montana; San Pedro Parks Wild Area, Santa Fe National Forest, New Mexico; Linville Gorge Wild Area, Pisgah National Forest, North Carolina; Gearhart Mountain Wild Area, Fremont National Forest, Oregon; Kalmiopsis Wild Area, Siskiyou National Forest, Oregon; Mount Hood Wild Area, Mt. Hood National Forest, Oregon; Mountain Lakes Wild Area, Rogue River National Forest, Oregon; Strawberry Mountain Wild Area, Malheur National Forest, Oregon; Goat Rocks Wild Area, in portions of Gifford Pinchot and Snoqualmie National Forests, Washington; Mount Adams Wild Area, Gifford Pinchot National Forest, Washington; Mazatzal Wilderness Area, Tonto National Forest, Arizona; Superstition Wilderness Area, in portions of the Crook and Tonto National Forests, Arizona; Marble Mountain Wilderness Area, Klamath National Forest, California; Bob Marshall Wilderness Area, in portions of the Flathead and Lewis and Clark National Forests, Montana; Gila Wilderness Area, Gila National Forest, New Mexico; Pecos Wilderness Area, in portions of the Santa Fe and Carson National Forests, New Mexico, Eagle Cap Wilderness Area, in portions of Wallowa and Whitman National Forests, Oregon; North Absaroka Wilderness Area and South Absaroka Wilderness Area, both in the Shoshone National Forest, Wyoming; Teton Wilderness Area, Teton National Forest, Wyoming.

Additional wilderness and wild areas may be designated for inclusion in this System by the Secretary of Agriculture. Such designations shall be reported, with maps and descriptions, to the secretary of the National Wilderness Preservation Council established hereunder. These designations by January 1, 1966, shall include, but shall not necessarily be limited to, the areas within the national forests classified as primitive by the Department of Agriculture on January 1, 1956, with such modifications in boundaries as may be made upon reclassification as wilderness or wild.
The administration and any proposed addition, modification, or elimination of wilderness, wild, or roadless areas shall be in accordance with such regulations as the Secretary of Agriculture shall establish in conformity with the purposes of this Act, and any such proposed addition, modification, or elimination shall be reported with map and description to the secretary of the National Wilderness Preservation Council established hereunder. Any addition, modification, or elimination, except as provided in Section 3, Subsection (c) Paragraph (1), shall take effect as provided in Subsection (b) below.

(b) This System shall include the following units of the National Park System:

Acadia National Park, Maine; Arches National Monument, Utah; Badlands National Monument, South Dakota; Big Bend National Park, Texas; Black Canyon of the Gunnison National Monument, Colorado; Bryce Canyon National Park, Utah; Capitol Reef National Monument, Utah; Carlsbad Caverns National Park, New Mexico; Cape Hatteras National Seashore Recreational Area, North Carolina; Channel Islands National Monument, California; Chiricahua National Monument, Arizona; Colorado National Monument, Colorado; Crater Lake National Park, Oregon; Craters of the Moon National Monument, Idaho; Death Valley National Monument, California and Nevada; Devils Postpile National Monument, California; Dinosaurs National Monument, Colorado and Utah; Everglades National Park, Florida; Glacier National Park, Montana; Glacier Bay National Monument, Alaska; Grand Canyon National Park and Grand Canyon National Monument, Arizona; Grand Teton National Park, Wyoming; Great Smoky Mountains National Park, North Carolina and Tennessee; Hawaii National Park, Territory of Hawaii; Isle Royale National Park, Michigan; Joshua Tree National Monument, California; Katmai National Monument, Alaska; Kings Canyon National Park, California; Lassen Volcanic National Park, California; Lava Beds National Monument, California; Mammoth Cave National Park, Kentucky; Mesa Verde National Park, Colorado; Mount McKinley National Park, Alaska; Mount Rainier National Park, Washington; Olympic National Park, Washington; Organ Pipe Cactus National Monument, Arizona; Petrified Forest National Monument, Arizona; Rocky Mountain National Park, Colorado; Saguaro National Monument, Arizona; Sequoia National Park, California; Shenandoah National Park, Virginia; Theodore Roosevelt National Memorial Park, North Dakota; White Sands National Monument, New Mexico; Wind Cave National Park, South Dakota; Yellowstone National Park, Idaho, Montana, and Wyoming; Yosemite National Park, California; Zion National Park and Zion National Monument, Utah.
Additional units of the National Park System may be designated for inclusion in this System by Act of Congress or by Executive Order or Proclamation of the President. No unit of the National Park System shall be removed from this System except by Act of Congress.

Ninety days after giving public notice the Secretary of the Interior shall designate within each unit of the National Park System named for inclusion in this System such area or areas as he shall determine to be required for roads, motor trails, buildings, and necessary accommodations for visitors. A notice of each such designation together with a map and description of the affected area or areas shall be forwarded to the secretary of the National Wilderness Preservation Council established hereunder. Each such unit of the National Park System shall become part of the National Wilderness Preservation System when this designation has been made. Designations shall be made not later than January 1, 1966, or within two years after the unit has been added to this System, whichever is later. Should the Secretary fail to make such a designation for any such unit of the National Park System within the time limit specified, that unit shall automatically then become a part of this System.

No designation of an area for roads, motor trails, buildings, and necessary accommodations for visitors shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act To Establish a National Park Service and for other purposes."
(c) This System shall include the following national wildlife refuges and ranges:

Aleutian Islands National Wildlife Refuge, Alaska; Aransas National Wildlife Refuge, Texas; Bogoslof National Wildlife Refuge, Alaska; Cabéza Prieta Game Range, Arizona; Cape Romain National Wildlife Refuge, South Carolina; Charles Sheldon Antelope Range, Nevada; Delta National Wildlife Refuge, Louisiana; Desert Game Range, Nevada; Fort Peck Game Range, Montana; Kenai National Moose Range, Alaska; Kodiak National Wildlife Refuge, Alaska; Kofa Game Range, Arizona; Moosehorn National Wildlife Refuge, Maine; National Bison Range, Montana; Nunivak National Wildlife Refuge, Alaska; Okefenokee National Wildlife Refuge, Georgia; Red Rock Lakes Migratory Waterfowl Refuge, Montana; Seney National Wildlife Refuge, Michigan; Sheldon National Antelope Refuge, Nevada; Wichita Mountains National Wildlife Refuge, Oklahoma.

Additional national wildlife refuges and ranges may be designated by the Secretary of the Interior for inclusion in this System. Such designations shall be reported, with maps and descriptions, to the secretary of the National Wilderness Preservation Council established hereunder. No wildlife refuge or range shall be removed from this System except by Act of Congress.

Ninety days after giving public notice the Secretary of the Interior shall designate within each national wildlife refuge and range named for inclusion in this System such area or areas as he shall determine to be required for roads and buildings and other installations for administration and protection of the refuge or range for wildlife. A notice of each such designation together with a map and description of the affected area or areas shall be forwarded to the secretary of the National Wilderness Preservation Council established hereunder. Each national wildlife refuge and range named for inclusion shall become part of the National Wilderness Preservation System when this designation has been so made for that national wildlife refuge or range. Designations shall be made not later than January 1, 1966, or within two years after a refuge or range has been added to this System, whichever is later. Should the Secretary fail to make such a designation for any such national wildlife refuge or range within the time limits specified, that refuge or range shall automatically then become a part of this System.
(d) This System shall include the following roadless areas and wild areas on Indian reservations and such additional roadless and wild areas on Indian reservations as the Secretary of the Interior may designate, but no such area shall be included until the tribe or band within whose reservation it lies, through its tribal council or other duly constituted authority, shall have given its consent to the inclusion of the area within this System:

Black Mesa Roadless Area, Navajo Indian Reservation, Arizona; Black River Roadless Area, Fort Apache and San Carlos Indian Reservations, Arizona; Columbia-San Poil Divide Roadless Area, Colville Indian Reservation, Washington; Fort Charlotte Wild Area, Grand Portage Indian Reservation, Minnesota; Goat Rocks Roadless Area, Yakima Indian Reservation, Washington; Grand Canyon Roadless Area, Hualapai Indian Reservation, Arizona; Grand Portage Wild Area, Grand Portage Indian Reservation, Minnesota; Mesa Verde Roadless Area, Consolidated Ute Indian Reservation, Colorado; Mount Adams Wild Area, Yakima Indian Reservation, Washington; Mount Jefferson Roadless Area, Warm Springs Indian Reservation, Oregon; Mount Thomas Roadless Area, Ft. Apache Indian Reservation, Arizona; Mission Range Roadless Area, Flathead Indian Reservation, Montana; Painted Desert Roadless Area, Navajo Indian Reservation, Arizona; Rainbow Bridge Roadless Area, Navajo Indian Reservation, Arizona; Wind River Mountains Roadless Area, Shoshone Indian Reservation, Wyoming.

The administration and any proposed addition, modification, or elimination of roadless and wild areas on Indian reservations shall be in accordance with such regulations as the Secretary of the Interior shall establish in conformity with the purposes of this Act subject to the consent of the several tribes or bands, through their tribal councils or other duly constituted authorities, each with regard to the area or areas within its jurisdiction. Any addition, modification, or elimination shall be reported, with map and description, to the secretary of the National Wilderness Preservation Council. Nothing in this Act shall in any respect abrogate any treaty with any band or tribe of Indians, or in any way modify or otherwise affect existing hunting and fishing rights or privileges.
(e) This System shall also include such units as Congress may designate by statute and such units as may be designated within any Federally owned or controlled land and/or water by the official or officials authorized to determine the use of the lands and waters involved. The administration, modification, and elimination of such units shall be as prescribed by Congress or in accordance with regulations that shall be established in conformity with the purposes of this Act by the official or officials authorized to determine the use of the lands and waters involved.

(f) Any proposed addition to, modification of, or elimination from the National Wilderness Preservation System otherwise than by Act of Congress, except on Indian reservations and except as provided in Section 3, Subsection (c), Paragraph (l), shall be reported to Congress by the secretary of the National Wilderness Preservation Council upon receipt of notice and shall take effect upon the expiration of the first period of 120 calendar days, of continuous session of Congress, following the date on which the report is received by Congress; but only if during this period there has not been passed by either House of Congress a resolution opposing such proposed addition, modification, or elimination. Within any Federally owned unit within the National Wilderness Preservation System the acquisition of any privately owned lands is hereby authorized and such sums as the Congress may decide are hereby authorized to be appropriated for such acquisition out of any money in the Treasury not otherwise appropriated.
Sec. 3. (a) Nothing in this Act shall be interpreted as interfering with the purpose stated in the establishment of any national park or monument, national forest, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the National Wilderness Preservation System shall be responsible for preserving the wilderness character of the area. The National Wilderness Preservation System shall be devoted to the public purposes of recreational, educational, scenic, scientific, conservation, and historical uses. All such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

(b) Except as otherwise provided in this Section, and subject to existing private rights (if any), no portion of any area constituting a unit of the National Wilderness Preservation System shall be devoted to commodity production, to lumbering, prospecting, mining or the removal of mineral deposits (including oil and gas), grazing by domestic livestock (other than by pack animals in connection with the administration or recreational, educational, or scientific use of the wilderness), water impoundment or reservoir storage, or to any form of commercial enterprise except as contemplated by the purposes of this Act. Within such areas, except as otherwise provided in this Section and in Section 2 of this Act, there shall be no road, nor any use of motor vehicles, nor any airplane landing field or other provision for mechanized transportation, nor any structure or installation in excess of the minimum required for the administration of the area for the purposes of this Act.
(c) The following special provisions are hereby made:

(1) Roads over national forest lands reserved from the public domain and necessary for ingress and egress to or from privately-owned property shall be, and roads over national forest lands otherwise acquired may be, allowed under appropriate conditions determined by the forest supervisor. Upon allowance of such roads the boundary of the area shall thereupon be modified to exclude the portion affected by the roads. The new boundaries shall be reported, with a map, through the Chief of the Forest Service to the secretary of the National Wilderness Preservation Council. All such changes shall be included in the next following annual report of the Council but need not be separately reported to Congress.

(2) Within national forest areas grazing of domestic livestock and the use of airplanes or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Chief of the Forest Service deems desirable. Such practices shall be recognized as non-conforming use of the area of wilderness involved and shall be terminated whenever this can be effected with equity to, or in agreement with, those making such use.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Superior, Little Indian Sioux, and Caribou Roadless Areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses including that of timber, the primitive character of the roadless areas, particularly in the vicinity of lakes, streams, and portages.

(4) Any existing use authorized or provided for in the Executive Order or legislation establishing any national wildlife refuge or range may be continued in accordance with permit granted under such authorization or provision, but any non-conforming use of the areas of wilderness involved shall be terminated whenever this can be effected with equity to, or in agreement with those making such use.
Section 4. (a) A National Wilderness Preservation Council is hereby created to consist ex officio of the persons at the time designated as the chairman and the ranking minority member of the Committee on Interior and Insular Affairs of the Senate, the chairman and the ranking minority member of the Committee on Interior and Insular Affairs of the House of Representatives, the Chief of the U.S. Forest Service, the Director of the National Park Service, the Director of the Fish and Wildlife Service, the Commissioner of Indian Affairs, the Secretary of the Smithsonian Institution, and also six citizen members known to be informed regarding, and interested in the preservation of, wilderness, two of whom shall be named initially for terms of two years, two for terms of four years, and two for terms of six years, by the President. After the expiration of these initial terms, each citizen member shall be appointed for a six-year term. When initial or subsequent appointments are to be made to this Council any established national organization interested in wilderness preservation may make recommendations to the President regarding candidates any of whom would be deemed suitable for appointment to the Council. The Council shall choose from among its members a chairman who shall serve for a two-year term. The Secretary of the Smithsonian Institution shall be the secretary of the Council and, subject to the Council, shall maintain its headquarters.
(b) The Council shall serve as the repository for, and shall maintain available for public inspection, such maps and official papers regarding the National Wilderness Preservation System as may be filed with it. Upon receipt of a report of a proposed addition, modification, or elimination of an area as required under Section 2 of this Act, the secretary of the Council shall report such proposed action to the Senate and to the House of Representatives. The Council shall serve as a non-exclusive clearing house for exchange of information among the agencies administering areas within the System. The Council shall make, sponsor, and coordinate surveys of wilderness needs and conditions and gather and disseminate information, including maps, for the information of the public regarding use and preservation of the areas of wilderness within the System, including information and maps regarding state and other nonfederal areas which the Council shall consider important to wilderness preservation. The Council is directed to consult with, advise, and invoke the aid of the President, the Secretaries of Interior and Agriculture, and other appropriate officers of the United State Government and to assist in obtaining cooperation in wilderness preservation and use among federal and state agencies and private agencies and organizations concerned therewith. The Council, through its chairman, shall annually present to Congress, not later than the first Monday in December, a report on the operations of the Council during the preceding fiscal year and on the status of the National Wilderness Preservation System at the close of that fiscal year, including an annotated list of the areas in the System showing their size, location, and administering agency, and shall make such recommendations to Congress as the Council shall deem advisable.
(c) The Council shall meet annually and at such times between annual meetings as the Council shall determine, or upon call of the chairman or any three members. Members of the Council shall serve as such without compensation but shall receive transportation expenses and in addition a per diem payment to be fixed by the Council, not to exceed $25 a day, as reimbursement for expenditures in connection with attending any meeting of the Council. A sum sufficient to pay the necessary clerical and administrative expenses of the Council and its members, not to exceed an annual expenditure of $50,000, and such additional sums as the Congress may decide for carrying out the purposes of the Council, including printing, are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. The Council is authorized to accept private gifts and benefactions to be used to further the purposes of this Act, and such gifts and benefactions shall be deductible from income for tax purposes.

Sec. 5. This Act shall be known by the short title "National Wilderness Preservation Act."