

Senate - Interior + insular
INTERIOR NOMINATION

Y4
.In 8/13
N 72/961-2

GOVERNMENT

Storage

HEARING
BEFORE THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE
EIGHTY-SEVENTH CONGRESS

FIRST SESSION

ON

THE NOMINATION OF JAMES K. CARR, OF CALIFORNIA,
TO BE UNDER SECRETARY OF THE INTERIOR

JANUARY 26, 1961

Printed for the use of the Committee on Interior and Insular Affairs



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1961

64845



AY
8/21/51
5-109 SP N

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

CLINTON P. ANDERSON, New Mexico, *Chairman*

HENRY M. JACKSON, Washington

ALAN BIBLE, Nevada

JOHN A. CARROLL, Colorado

FRANK CHURCH, Idaho

ERNEST GRUENING, Alaska

FRANK E. MOSS, Utah

OREN E. LONG, Hawaii

QUENTIN N. BURDICK, North Dakota

LEE METCALF, Montana

J. J. HICKEY, Wyoming

HENRY DWORSHAK, Idaho

THOMAS H. KUCHEL, California

BARRY GOLDWATER, Arizona

GORDON ALLOTT, Colorado

HIRAM L. FONG, Hawaii

JACK R. MILLER, Iowa

RICHARD L. CALLAGHAN, *Staff Director*

NELL D. MCSHERRY, *Clerk*

STEWART FRENCH, *Chief Counsel*

NOMINATION OF JAMES K. CARR TO BE UNDER SECRETARY OF THE INTERIOR

THURSDAY, JANUARY 26, 1961

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10 a.m. in room 3110, Senate Office Building, Senator Clinton P. Anderson (chairman of the committee) presiding.

Present: Senators Alan Bible, of Nevada; John A. Carroll, of Colorado; Frank Church, of Idaho; Ernest Gruening, of Alaska; Frank E. Moss, of Utah; Oren E. Long, of Hawaii; Quentin N. Burdick, of North Dakota; Lee Metcalf, of Montana; J. J. Hickey, of Wyoming; Henry Dworshak, of Idaho; Barry Goldwater, of Arizona; Gordon Allott, of Colorado; Hiram L. Fong, of Hawaii; and Jack Miller, of Iowa.

Also present: Richard L. Callaghan, staff director.

The CHAIRMAN. The committee will be in order.

Today we take up the nomination of James K. Carr of California, to be Under Secretary of the Interior. Senator Engle has expressed a desire to introduce Mr. Carr.

Before you start, Senator, we will place the background biographical record sent to us by the Department into the record at this point. (The biographical background referred to follows:)

BIOGRAPHICAL RÉSUMÉ OF JAMES K. CARR

Age: Forty-seven years. Born January 15, 1914, Redding, Calif.

Married: Katherine Kergan of Piedmont, Calif., October 14, 1939.

Children: Four daughters—Mary 20½, Ann 18, Susan 16½, and Margaret 15½.

Son of the late Francis Carr, of Redding, northern California attorney and Democratic leader, and the late Mary Kennedy Carr; grandson of Francis Carr, early-day Shasta County attorney. One of seven children—five boys and two girls. Two brothers killed in World War II, two brothers living: Francis J. Carr, manager, tax department, Pacific Gas & Electric Co., San Francisco; Laurence W. Carr, attorney, Carr & Kennedy, Redding, Calif. Sisters: Mrs. Clayton Davis, San Francisco; Miss Barbara J. Carr, Redding, Calif.

Education

Redding public schools, 1920-30; B.S. in civil engineering, University of Santa Clara, 1934.

Employment record

June 1953 to present: Assistant general manager, Sacramento Municipal Utility District, Sacramento, Calif. Responsible for public and governmental relations and certain future wholesale power supply problems and other special assignments. Agency is a publicly owned electric power agency serving 500,000 people in a 650-square-mile area. Was responsible for planning activities in bringing district's \$110 million hydroelectric project to the construction stage and other special assignments.

April 1951 to June 1953: Engineering consultant to the Committee on Interior and Insular Affairs, House of Representatives. Served under chairmanship of Representative John Murdock and Representative A. L. Miller. Worked primarily for Subcommittee on Irrigation and Reclamation; Subcommittee Chairman Representative Clair Engle and Representative Norris Poulson.

April 1936 to April 1951: Engineer and Administrator, U.S. Bureau of Reclamation, Central Valley project of California.

1936-40: Redding, Calif. Engineer on planning and construction of Shasta Dam and related facilities.

1940-45: Sacramento, Calif. Engineer and assistant to regional director on project planning, water rights, power problems, and special assignments.

1945-51: Chico, Calif. District manager. Responsible for planning, construction, operation, and maintenance of Shasta Dam, Keswick Dam, Orland project; studies on Trinity River and Feather River projects; and all budget and administrative activities of the Bureau for area in northern California, north of Sacramento. Served few weeks (1951) in Commissioner's Office, O. & M., Washington, D.C.

1930 to April 1936:

1934-36: Engineering assignments with Wor's Progress Administration; U.S. Geological Survey; Shasta County surveyor's office; city engineer's office, Redding, Calif.

1930-34: Summer jobs during college days with Pacific Gas & Electric Co., State of California Highway Department, and U.S. Geological Survey.

First Interior Department job: Rodman, survey crew, U.S. Geological Survey, Mount Lassen, Calif., area, summer 1933.

Affiliations

Chairman, California Water Commission, 1959-61; registered professional engineer, State of California and District of Columbia; fellow, American Society of Civil Engineers; member, board of regents, University of Santa Clara; Rotary Club; Knights of Columbus, Sierra Club, Sacramento City-County Chamber of Commerce; and active in various other community activities.

The CHAIRMAN. Now, Senator Engle, you may proceed.

STATEMENT OF HON. CLAIR ENGLE, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator ENGLE. Thank you very much, Mr. Chairman and members of the committee.

I am pleased to be able to introduce James K. Carr, of Redding, Calif., who has been nominated by President Kennedy for the post of Under Secretary of Interior.

My pleasure stems equally from the fact that he is a man whose life has been devoted to conservation and development of natural resources, that we have been associated on various occasions in past years, and, finally, that he has long been a highly valued friend.

A graduate of Santa Clara University of California with a degree in civil engineering, Mr. Carr went to work as an engineer on Shasta Dam at the start of construction in 1937. By that time he had already worked for the Works Progress Administration and the Department of Interior—the latter as a rodman with a U.S. Geological Survey crew at Mount Lassen.

Joining the Bureau of Reclamation as a staff member in 1936, later becoming assistant to the regional director in 1940 and a district manager in 1945, he helped plan and construct portions of the Central Valley project and directed the continuing program for Shasta Dam, Keswick Dam, and other projects and directed initial planning on Trinity and Feather River projects.

In 1951 Mr. Carr was appointed engineering consultant to the House Committee on Interior and Insular Affairs, of which I was

chairman. In 1954 he resigned that post to become assistant general manager of the Sacramento Municipal Utility District.

Until just recently he has been chairman of the California State Water Commission, in which post he has been coordinator of the irrigation, power, and flood control programs of the State of California, working with the Federal Bureau of Reclamation and the U.S. Army Corps of Engineers, both in Washington, D.C., and in California.

Mr. Carr's work has not been confined to water and power. He is a native of northern California, a center for lumbering, mining, fishing and hunting, and recreation. He took the lead in pushing the reforestation program for the Keswick Dam area, for example. He has been publicly commended for his work on the release of fish in the American River. He drafted recreation plans for the Sacramento Municipal Utility District reservoir on that river.

Mr. Chairman, I give Mr. Carr my unreserved endorsement and recommendation, and I hope that he will have your favorable consideration.

I thank you for this opportunity to introduce him.

The CHAIRMAN. Senator Dworshak has a statement from Senator Kuchel, who is unable to be here today.

**STATEMENT OF HON. THOMAS H. KUCHEL, A U.S. SENATOR
FROM THE STATE OF CALIFORNIA, PRESENTED BY SENATOR
DWORSHAK**

Senator DWORSHAK. I would like to read his statement at this time. [Reads:]

I am delighted to give my strong endorsement to James K. Carr, chairman of the California Water Commission, for the position of Under Secretary of the Department of the Interior.

I have known Jim Carr for 25 years as a friend and as a dedicated public servant. He is a recognized authority on problems of water development, irrigation, reclamation and projects planning, construction, operation, and maintenance.

He has been actively engaged in this field since his first job as a rodman for the Interior Department in 1933. Since that time he served on every level of government—local, State, and Federal. Californians are proud of his accomplishments as assistant general manager of the Sacramento Municipal Utility District.

Since June 1953, he was directly responsible for the planning activity which brought the district's \$110-million hydroelectric project to the construction stage. He will do the same sort of dynamic, progressive job for the Nation that he has already performed for the State of California. He deserves the full support of the U.S. Senate.

The CHAIRMAN. Do you have any statement, Mr. Carr?

**STATEMENT OF JAMES K. CARR, UNDER SECRETARY
OF INTERIOR-DESIGNATE**

Mr. CARR. Mr. Chairman and members of the committee, I have submitted my biographical information as requested by your clerk. I have no prepared statement. I have had some questions and have seen reports that some Members of the Senate are interested in conflicts of interest.

I would like to say at this time that I have no stocks, no applications for oil leases, or any other applications before the Department, or

any ownerships that I think would constitute a conflict of interest with the activities of the Department of the Interior.

I come here without a prepared statement, ready to answer any questions you may have.

The CHAIRMAN. Mr. Carr, there is another conflict of interest that is not monetary that goes on around here. When an announcement was made that the Secretary of the Interior might come from Arizona, I got a flood of telephone calls from people in California reminding me they were in litigation with the State of Arizona and wanted my help to see that the Under Secretary came from California so that Arizona couldn't gouge California.

The upper basin is in constant controversy with the lower basin. My question is: What is your position on that?

You understand that the four upper basin States, States of the upper division, have some interest in the water of the Colorado River, as well as the lawsuits between California and Arizona to divide up the spoils of the lower basin.

Mr. CARR. I can make this assurance to you: that I will try to be just as fair as I have tried to be in the past. In connection with the upper basin project, you will be interested to know that some of my own California friends felt that I was not exactly looking after the interest of the State because in February of 1956, I think, when the bill was on the House side for the upper basin development, I was one of those who took issue with certain southern California interests that were attempting to block the project, saying that if you had the water rights then the upper basin should be able to develop their projects, sound projects, if they were found feasible, on the same basis as any other State in the Colorado River Basin.

I know that Senator Engle is familiar with that because I was not exactly the most popular man in the State at the time, but I think that is the fair way to handle it.

The CHAIRMAN. I will say that I do remember that and I do regard that as a very impressive recommendation for you. I only want you to remember that the controversy is not between just California and Arizona.

That brings us to the question of the filling of the Glen Canyon Dam. The filling criteria there can destroy the program of the upper States if adopted.

Have you given any study to that?

Mr. CARR. I have not studied those criteria yet, Senator.

I am informed that the criteria have not been adopted by the Department. There have been some recommendations prepared. I discussed the matter very briefly with Secretary Udall and we will give it thorough consideration to see that it is fair to all parties concerned.

The CHAIRMAN. You do recognize that a filling criteria which is designed to protect solely the power users under Hoover Dam could destroy the rights of the people in the upper basin States?

Mr. CARR. Yes; I realize that the filling criteria will affect the upper basin States. I do not know enough about it yet to know that the criteria were designed purely on a power basis. But I know that we will certainly take a look at this and see that everyone is protected under the filling criteria.

The CHAIRMAN. What else besides power do you think is involved in the filling criteria?

Mr. CARR. I got the impression that this was the only consideration in preparing the criteria. Since I am not familiar with them to that extent, I do not want to assume that that was the only criteria taken into consideration by the Bureau when they were prepared.

The CHAIRMAN. What else do you think it would be?

Mr. CARR. Well, there would be the whole question of whether you were protected in the upper basin States, and I would hope that the Bureau of Reclamation staff would keep that in mind, too, as they set up the criteria.

The CHAIRMAN. The whole argument came up over whether or not the first use of the water was to make sure that all the people who are now getting power from Hoover Dam could continue to get it at the same favorable rates or whether the water that is stored for the benefit of the fulfillment of the contract in the upper basin States is to be—

Mr. CARR. I realize that is a major factor, Senator.

The CHAIRMAN. I do not know of any other factor, do you?

Mr. CARR. I am sure that the Bureau of Reclamation staff, if they approached this fairly, would take a look at the desirability of filling up stream reservoirs and getting the maximum out of those reservoirs at the earliest possible date.

I want to make sure they have done that before we adopt criteria for filling Glen Canyon.

The CHAIRMAN. I only want to say, Mr. Carr, that I hope that your residence in California will not bother you when it comes to looking after the rights of the upper basin States.

Mr. CARR. I assure you it will not, Senator. I take this job as a representative of the United States.

The CHAIRMAN. Senator Bible.

STATEMENT OF HON. ALAN BIBLE, A U.S. SENATOR FROM THE STATE OF NEVADA

Senator BIBLE. Mr. Chairman, I am very happy to welcome Jim Carr as an old friend, a friend of Nevada. I know that they constantly say that there is a bit of a tussle between California and Arizona, but Nevada has a real stake in this, too. But this is the lower basin and we are still scraping around as hard as we can for a fair and equitable portion of our water and power from the Colorado River.

I know that you are going to be fair in attempting to work out many of these problems. We have a real problem in the Glen Canyon power area. The marketing area has been created and developed and promulgated by the past Secretaries of the Interior. I hope you look at that very closely because it does include certain areas in Nevada.

I hope that that particular regulation is not disturbed. We likewise have some rights in Bridge and in Marble, and I hope that you give that a very, very close look and use your excellent, fair record in dealing with these controversial water and power problems.

I am glad to see you joining the Department of the Interior.

Mr. CARR. Thank you.

The CHAIRMAN. Senator Dworshak?

**STATEMENT OF HON. HENRY DWORSHAK, A U.S. SENATOR FROM
THE STATE OF IDAHO**

Senator DWORSHAK. Mr. Carr, it is apparent that your experience has been primarily in the field of irrigation and reclamation. I should like to ask you briefly what is your concept of public domain and multiple use of it, insofar as power development, mining, lumbering, recreation, and grazing?

Have you any pronounced views on that subject?

Mr. CARR. Senator, I wouldn't say that I have firm and fixed views other than the fact that I think that we ought to make the maximum use of the public domain.

I favor generally a policy of multiple use of our lands. I realize that occasionally we have to make a determination between what might be called strict wilderness area as against recreation on the public domain. We have run into some of these same problems in connection with our own utility district development in the Sierra Nevada Mountains.

I certainly favor a multiple use, and this includes the mining industry, the forest products industry, and others. I think we have to get the maximum out of these resources, and I believe, talking to Secretary Udall that he and I are very close together on this policy.

The CHAIRMAN. Senator Church.

**STATEMENT OF HON. FRANK CHURCH, A U.S. SENATOR FROM
THE STATE OF IDAHO**

Senator CHURCH. I have no questions, Mr. Chairman. I just want to say that I am acquainted with Mr. Carr's reputation and those that commend him to this committee are certainly deserving of serious consideration.

I think that everything I have known of the gentleman bodes well for him and for the new administration.

Mr. CARR. Thank you.

The CHAIRMAN. Senator Goldwater.

**STATEMENT OF HON. BARRY GOLDWATER, A U.S. SENATOR FROM
THE STATE OF ARIZONA**

Senator GOLDWATER. Mr. Chairman, I can recall Mr. Carr when he served as consultant to the House committee under Congressman Murdock at the time that the central Arizona project ran into very strong and finally disastrous competition over there—or I should say objection.

I recall he was very fair to his approach to Arizona's problems. In fact, we in Arizona are glad that Jim Carr has been picked for this job. We were quite fearful lest a southern Californian get it. His coming from northern California, where they have no designs particularly on any of our water, makes him completely acceptable to my State. I am very glad to see him here and wish him well.

I would like, though, to ask Mr. Carr if he would give support to modernizing the land laws that are so antiquated and badly in need of change.

Mr. CARR. Senator, first on your comments, I also want to be fair to southern California on this job.

Senator GOLDWATER. You can forget southern California. That would be all right.

Mr. CARR. They are very well equipped to take care of themselves at times, I realize. On the land laws, I definitely am aware of the problems that we have, such as a very difficult problem in Senator Bible's State on the applications to the Bureau of Land Management.

I have already discussed this matter with Secretary Udall. I do not know exactly what administrative action we can take right at the moment to get these wheels rolling, but we have so many applications in places that we have just failed to keep the wheels turning. We are going to get that going and then we will be before the Congress for assistance in some sort of modification of the land laws. But we are not prepared at this time to say just what steps we should take.

Senator GOLDWATER. I have several bills in to modernize the land laws under which BLM operates. I think this is a problem that is common to all Western States. As you know, Secretary Seaton suspended all desertland entries. I think he did this rather hurriedly. I think he could have administratively taken care of some of the problems.

But in the desertland entry section of our laws we do need modernizing. I am very hopeful that one of the first things you do when you get in is to work with Secretary Udall to the end that some of these bills that are proposed—and I am not the only author of bills pertaining to this—can have your prompt review and reporting so that we can get on with this.

The suspension of desertland entry has worked a very serious hardship to my State and, I am sure, to California, and I know Nevada. We in the West that have as high as 86 percent of our States owned by the Federal Government have to have some relief in the area of land.

Again, I hope that your attention will be directed to this primarily. When we get to the subject of Arizona and California water, we can talk about that also.

Mr. CARR. Thank you, Senator. I would just like to say that this was, I think, the first subject that Secretary Udall talked to me about when he asked me to come to Washington to consider whether I would take this job, and he pointed out the difficulties in this area, wanting to acquaint me with them.

I would like to emphasize, and Senator Engle knows this from his beating me over the head many times when I was in the Interior Department and later with his committee, that this is a Government of separate powers. We will certainly look to the Congress for the basic policy that we are to follow.

I will endeavor, where there are questions, to have the policy determined and interpretations made by the Secretary and carry those out. Should I find that my own personal opinion and arguments do not prevail, I will accept what I am told to do as Under Secretary.

If it ever gets to the point where my personal feelings are so strong, where I cannot work on a real team and carry these things out, I have one alternative, and that is to go back to one of my other jobs.

The CHAIRMAN. If you ever get to where you cannot follow the congressional intent, you should go to work for the Bureau of the Budget.

Senator Gruening.

**STATEMENT OF HON. ERNEST GRUENING, A U.S. SENATOR FROM
THE STATE OF ALASKA**

Senator GRUENING. Everything I know about Mr. Carr is favorable, and the two very warm endorsements of the two Senators from California who know him weigh convincingly with me.

I was very much pleased to hear Mr. Carr's statement that he was in favor of multiple use wherever possible. I hope that that policy will prevail.

I also share Senator Goldwater's view that the land laws need to be revised. But apart from revision of legislation, which is a congressional function, I think the administration could be vastly improved. Those of us who have lived in a State that has been 99 percent public domain feel very keenly on this subject.

There is a great deal of reform that is needed in the administration of the land laws in Alaska. I hope this matter will have your particular attention. I shall be very happy to vote for your confirmation.

The CHAIRMAN. Senator Moss.

**STATEMENT OF HON. FRANK MOSS, A U.S. SENATOR FROM THE
STATE OF UTAH**

Senator Moss. I am happy to see Jim Carr here and to support his appointment. I have known him personally for a long time and by reputation for a longer time. When he tells this committee that he will be objective and fair in all that he does, I am sure that is exactly the way he will perform as Under Secretary.

Utah always wonders about California and the water that goes down the Colorado River, but I have no misgivings about the functioning of Jim Carr in this respect. I am sure he will be fair and that he will add a great deal of his talents to the administration in the Interior Department. I am happy with this appointment and I will support it.

The CHAIRMAN. Senator Fong.

**STATEMENT OF HON. HIRAM L. FONG, A U.S. SENATOR FROM
THE STATE OF HAWAII**

Senator FONG. Mr. Carr, Secretary Seaton in his interpretation of the Statehood Act relative to the surplus land that will be given back to the State of Hawaii stated that he believed that that included land which was purchased or condemned, including land that was ceded. I do hope that you will follow that same interpretation of Mr. Seaton's.

Mr. CARR. Senator, this is an area where I must admit I am not acquainted with the subject. I certainly will be giving full consideration to your views as we approach this problem.

Senator FONG. Thank you. I have no questions to ask.

The CHAIRMAN. Senator Long.

**STATEMENT OF HON. OREN E. LONG, A U.S. SENATOR FROM
THE STATE OF HAWAII**

Senator LONG. Mr. Chairman, I am pleased to report that while Hawaii has both land and water problems, we are not interested at all in any conflict between Arizona and southern California. We are 2,200 miles removed, so it permits us to be entirely impartial.

We are delighted that Mr. Carr has been selected for this important leadership in this important field of our life. We are thoroughly satisfied and delighted.

The CHAIRMAN. Senator Burdick?

Senator BURDICK. No questions.

The CHAIRMAN. Senator Metcalf?

**STATEMENT OF HON. LEE METCALF, A U.S. SENATOR FROM
THE STATE OF MONTANA**

Senator METCALF. I have little to add to that suggested by my colleagues, Mr. Chairman, except that I welcome Mr. Carr, with whom I worked briefly in the House and with whom I have had considerable communication in California. I am very happy to be able to support his confirmation.

The CHAIRMAN. Senator Hickey?

**STATEMENT OF HON. JOE HICKEY, A U.S. SENATOR FROM THE
STATE OF WYOMING**

Senator HICKEY. Mr. Chairman, I could do nothing more but reiterate what the chairman has said with regard to the concern that my State of Wyoming has with regard to the Upper Colorado and its concern with regard to the criteria which has tentatively been circulated at this time. Certainly, I have heard of Mr. Carr by reputation and very favorably, may I say.

There is one area in one of the land laws that is of some concern. Some 12 years ago I was a U.S. attorney in Wyoming, and, on the exchange land basis, the State land acquired by the Department, some of that exchange has not yet been made, which is detrimental to the State, detrimental to the income of the State.

As I conceive it, that has come about because of a lack of getting together between the State and the Department and obtaining fair and impartial appraisals. I would sincerely hope that in your capacity you would work toward getting impartial appraisers to effect the exchange of this land which is badly needed.

Many thousands of acres of land are still being held in abeyance for more than 10 years because of the fact that they cannot agree upon who would be the impartial appraisers. I sincerely hope that in your administration of the office you will work with the States in an effort to effect this exchange. I will be very happy to vote for your confirmation.

Mr. CARR. Thank you, Senator. I want to say this is typical of some of the problems that Secretary Udall intends to act on. If his vigorous leadership in the last 3 days since we reported to work down there is any indication, there will be a lot of action.

I am still in the ring, but the hours have been very long and I know that he has given orders for everybody to be at their station. He is cutting travel to a minimum. You will see action in the Department of the Interior.

The CHAIRMAN. There appear to be no further questions. Thank you very much, Mr. Carr. It is my opinion that you will be confirmed.

(Whereupon, at 10:35 a.m., the committee proceeded to further business.)

✕

