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HEARING

BEFORE THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

THE NOMINATION OF JACK O. HORTON TO BE A MEMBER
OF THE JOINT FEDERAL-STATE LAND USE PLANNING
COMMISSION FOR ALASKA

MARCH 13, 1972



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NOMINATION OF JACK O. HORTON TO BE A MEMBER OF THE JOINT FEDERAL-STATE LAND USE PLAN- NING COMMISSION FOR ALASKA

MONDAY, MARCH 13, 1972

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

The committee met at 10 a.m., in room 3110, New Senate Office Building, Hon. Mike Gravel, presiding.

Present: Senators Gravel, (presiding), Hansen and Buckley.

Also present: Jerry T. Verkler, staff director; William J. Van Ness, chief counsel; and Thomas Nelson, assistant minority counsel.

Senator GRAVEL. The hearing will come to order.

STATEMENT OF HON. MIKE GRAVEL, A U.S. SENATOR FROM THE STATE OF ALASKA

Senator GRAVEL. The purpose of this morning's hearing is to consider the President's nomination of Mr. Jack O. Horton to serve as a member and as the Federal Cochairman of the Joint Federal-State Land Use Planning Commission for Alaska. This position and the Land Use Planning Commission for Alaska were established by section 17 of the Alaska Native Claims Settlement Act of 1971.

One of the most important problems facing the State of Alaska and the Federal Government in connection with the settlement of the land claims issue and the lifting of the Secretarial Order "land freeze" that has operated in Alaska over the past 5 years is to develop rational and coherent land use planning provisions which will operate to preserve the environment and protect the public interest in the Federal lands in Alaska without, at the same time, frustrating the reasonable expectations of the Native people and the State to exercise, in a normal manner, the rights granted to them by this act and by the Alaska Statehood Act.

Mr. Horton, the committee looks forward to hearing your statement and your views on the important responsibilities you would assume if confirmed as Chairman of the Joint Land Use Planning.

Without objection, I shall direct that the biography of Mr. Horton be included in the hearing at this point.

(The biography referred to follows:)

BIOGRAPHY OF JACK O. HORTON

Jack O. Horton, 34, of Saddlestring, Wyoming, has been nominated by the President for the position of Federal Co-Chairman, Joint Federal-State Land Use Planning Commission for Alaska.

Mr. Horton is currently serving as Deputy Under Secretary of the Interior, having been appointed to that position in August 1971 by Secretary Rogers C. B. Morton.

Mr. Horton was raised on the H F Bar, a family ranch established by his grandfather, the late Congressman Frank O. Horton. He graduated from Princeton University with honors in geology and read in the Honors School of Politics, Philosophy and Economics at Oxford University under a Rhodes Scholarship. He interrupted his studies there to enter the Naval Air Training Command. Receiving his wings in 1962, Lieutenant Horton was assigned to a Naval Airborne Reconnaissance Squadron outside of Tokyo, Japan. For three years, he studied Japanese, travelled extensively throughout the Far East, and was separated from Naval service in 1965 with seven decorations and 165 combat and reconnaissance missions in Southeast Asia. He returned to Oxford and received a M.A. degree in 1966.

Subsequently, Mr. Horton returned to Wyoming where he became Vice President of the H F Bar Ranch. He served for a year and a half as Executive Director of the Wyoming Republican Party.

During 1969, Mr. Horton was employed as an assistant to Russell E. Train, former Under Secretary of the Interior. In this assignment, Mr. Horton was named Executive Secretary of the Federal Task Force on Alaskan Oil Development established by President Nixon in May 1969. He served as Special Assistant to former Interior Secretary Walter J. Hickel and was appointed Deputy Assistant Secretary for Program Policy and then Deputy Under Secretary by Secretary Rogers Morton.

An avid outdoorsman, Mr. Horton was elected to All-American honors in lacrosse in his junior and senior years at Princeton and was a member of the All South of England Lacrosse Team at Oxford. He attended the Swiss National Mountaineering Institute, participated in Wyoming rodeos, and was a hunting guide and ski instructor.

Mr. Horton is married to the former Grace Espy Ford of Savannah, Georgia. They reside in Washington, D.C.

Senator GRAVEL. I would like to call upon my good friend and, of course, a very distinguished colleague and a member of this committee in excellent standing to do the honors with respect to your presence. I recognize at this time, the distinguished Senator from Wyoming, Senator Hansen.

STATEMENT OF HON. CLIFFORD P. HANSEN, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator HANSEN. Thank you very much, Mr. Chairman, distinguished members of the committee. It is my pleasure to welcome Mr. Jack O. Horton, from the State of Wyoming today and to introduce him to my colleagues on the Committee on Interior and Insular Affairs. Most of you have had an opportunity to work with Mr. Horton in the past 3 years. He has played a very important role in the operation of the Department of the Interior. I expect that all members of the committee have been as impressed as I with the outstanding manner in which he has handled the many difficult tasks assigned to him.

It is very appropriate that Jack Horton be nominated to be a member of the Joint Federal-State Land Use Planning Commission for Alaska. Since joining the Department of the Interior in 1969, Jack Horton has worked closely with the problems of Alaska. Since this committee has jurisdiction over the recently passed Alaskan Native land claims legislation, we are all familiar with how complicated the problems of Alaska are. I am confident that the knowledge and background which Mr. Horton has gained with the Department will make him a most effective member of the Joint Federal-State Land Planning Commission for Alaska.

Jack Horton is a member of one of Wyoming's most prominent families. His grandfather served Wyoming in the U.S. House of Representatives. Jack Horton's accomplishments have added to the distinction of the whole Horton family. Jack was raised on the family ranch in North Central Wyoming. He is an honors graduate of Princeton University and a Rhodes scholar. He received a master's degree from Oxford in 1966. He has an outstanding military record. I might state that I believe Mr. Horton flew 165 missions in Vietnam. So he is not a stranger to combat.

I am confident that Jack Horton can contribute greatly to Alaska and the Nation as Federal Cochairman of the Joint Commission and I urge early Senate confirmation of the President's nomination of Jack O. Horton to this post.

Thank you, Mr. Chairman.

Senator GRAVEL. Thank you, Senator Hansen.

Mr. Horton, do you have a statement you wish to make?

STATEMENT OF JACK O. HORTON, NOMINEE FOR FEDERAL CO-CHAIRMAN, JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA

Mr. HORTON. Mr. Chairman, Senator Buckley. I am most grateful to you, Senator Hansen, for your kind introduction and also grateful to have Mitchell Melich, Solicitor for the Department of Interior.

It is a great personal honor to appear before you as the President's nominee for the position of Federal Co-chairman of the Joint Federal-State Land Use Planning Commission for Alaska.

I present myself as a concerned American deeply committed to the balanced use and intelligent management of the manifold resources of this great State.

My military experience in the Aleutians and my daily involvement with Alaskan affairs in the Department of the Interior have given me a working knowledge of the problems and the promise of our magnificent north country.

It is from this background that I look forward with great personal anticipation to the challenge of serving as the Commission's Co-chairman.

The vast lands of Alaska now lie at a watershed. The passage of the Native Claims Settlement Act has accelerated the process of jurisdictional transfer and crystalized the competing claims for America's last large portion of substantially untouched public domain comprising almost two-thirds of Alaska. The passage of the act has emphasized the paramount need for careful and objective planning of these Federal lands in a pattern compatible with the use and protection of those lands selected by the State of Alaska and by Alaska Natives. It is this mission, as advisors to the Federal and State Government and the Alaska Natives, that the Commission can fulfill an historic potential.

As the late 19th century saw an end to the frontier days in my State of Wyoming, so now must we recognize that an important evolution is underway on the public lands in Alaska. A primary responsibility of the Commission, in which the State and Federal Governments join in close partnership, must be to recognize and intelligently guide this evolution.

Among the immediate priorities for study by the Commission are: The size and location of future parks, refuges, and multi-purpose lands; the important and careful development of mineral resources, and the structure of interconnecting transportation systems.

Of equal importance for early examination by the Commission will be:

Those Federal and State lands to be made available for disposal; the uses and protection of lands remaining in Federal and State ownership; the suitability of existing withdrawals of Federal lands; the adequacy of land laws and land policies in Alaska, and the effects of land policy upon the economic and social well-being of the Native people and resident Alaskans.

One of the high responsibilities of the Commission will be the coordination of specific planning efforts under Federal, State and Native jurisdictions into a balanced statewide land pattern that will be responsive to the optimum long-range needs and aspirations of all Americans.

Despite the complexities of the law, and the strong voices that will bear upon the Commission's deliberations, there exists the certainty that reasonable men with patience and forbearance can present enlightened and balanced solutions to these competing claims.

Mr. Chairman and members of the committee, under the Alaska Native Claims Settlement Act we have the opportunity to plan the great lands of Alaska the right way the first time. With this plain but certain mandate, and with no mean personal enthusiasm, I am grateful for the opportunity to appear before you and to answer any questions that you may care to present.

Senator GRAVEL. Thank you very much, Mr. Horton.

Senator Hansen, do you have any questions?

Senator HANSEN. No, thank you, Mr. Chairman. I do not believe I do. I have known Jack Horton for some several years. I have nothing but the greatest of respect for him. He has distinguished himself as a very competent career man. I do not know how long we will be able to keep him in Government service. It would be to the benefit of our country if it would be a long and extended career, but I know something of the strong ties he has in Wyoming.

I can say this, though, I have no doubt at all that he will put his every best effort and his full commitment into the task before him. I think he has certainly demonstrated to his colleagues in the Department his willingness to work full time. The background of academic training he has and his experience qualifies him for this important position. I am certain that he will perform in a very exemplary fashion as he assumes this very awesome and important responsibility on behalf of the President and all the people in the United States.

I have nothing but the highest regard for him.

Senator GRAVEL. Thank you very much, Senator.

Senator BUCKLEY?

Senator BUCKLEY. Thank you. I am the only easterner on this committee. You might excuse my prejudices in advance, that is the feeling that public lands belong to all the people of the United States, and the questions that I would ask at this point are directed more or less to determining your views as to your responsibilities.

For example, what do you believe should be the policy of the committee with respect to making up the Commission?

Mr. HORTON. My views must be taken in the context that I would serve as one of two chairmen, the Federal Cochairman. My views must be properly reflected as being mine and not those of the Commission that has not been established nor have we had at this time any lengthy discussions with Governor Egan of Alaska, so my views will be individual as opposed, with your permission, to reflecting those of the Commission.

But, as you know, the 365 million acres in Alaska are almost entirely under Federal jurisdiction at this time, something in the area of 97 percent. The State of Alaska and the Statehood Act were given the right to select up to 103½ million acres, with the exception of the 40 million acres that will ultimately reside in the hands of Alaskan Natives. The remainder of the State will almost be entirely in public land, either State or Federal public lands, so we bear with the State of Alaska a very high responsibility for insuring the proper use and proper management of this.

Senator BUCKLEY. Do you have any personal views as to the representation on the Commission or the staffing?

Mr. HORTON. Yes, we have looked at, in bringing together for Secretary Morton's consideration, proposals as to how the Commission could have a balanced profile, what professions, what categories of professionalism should be represented by individuals selected, and we have looked towards the law, toward economics, towards professional land planning. We have looked for individuals that would have extensive mineral resource experience. We look certainly toward the environmental sciences.

We have these now for his consideration, but the idea was to bring a balanced pattern and profile to the Commission before the individuals were selected. You also understand that the Secretary can appoint four of the Commission and Governor Egan will appoint his four, one of which must be an Alaskan Native.

Senator BUCKLEY. Do you have any views as to whether they should have some geographic representation as well the skills?

Mr. HORTON. Yes, I think it is important that residents of the State be given important consideration in the selection, but it is equally true that the Federal lands in Alaska are a Federal responsibility. The balance must come in terms of not only professionals, but also in terms of geographic locations, and we have placed before the Secretary a number of individuals which will reflect that balance.

Senator BUCKLEY. As you know, the committee is interested in Alaska on the part of the people throughout the United States. I know the legislation provides for offices for the Commission in Alaska. Would you recommend as a cochairman establishing additional offices elsewhere in the United States for holding public hearings elsewhere in the United States to give people in the lower 48 a chance to make their input.

Mr. HORTON. Yes, I feel strongly that Alaska should be planned in Alaska, but it is equally important that hearings be held and certainly they will be held not only in Alaska but also in the lower 48, in Seattle or Washington.

Senator BUCKLEY. I understand that in January of this year the State filed to select some 77 million acres of public lands in Alaska. These include some of the most important potential parklands, including the areas to the north and south of Mount McKinley, the

Wrangell Mountains and the Brooks Range. Do you have any idea of why the State wants these lands if, in fact, they seem to be valuable for parks and wildlife rather than for oil lands?

Mr. HORTON. Senator, it would be untrue, I think, to reflect that the sole motivation for their nomination of the 77.3 million land was primarily to focus on parks and refuge lands. It is certainly true that a great number of the lands they nominated for selection would fall in these categories, and Secretary Morton will have an announcement toward the middle of this week after his judgment and his decision on overall withdrawal decisions.

Senator BUCKLEY. You, assuming this, do you see any potential for conflict between the interests of local and Federal Government here?

Mr. HORTON. All the competing interests can't lay claim to the same lands. A number of the areas we have looked at, the Alaskan Natives have looked at and the State has looked at, are desirable for inclusion under their own lands.

The law is a very complex one. We have examined it very carefully, and the Secretary's decision on Wednesday will reflect the most careful analysis, not only of the legality of the bill but our own review of the resources in those lands, not simply the park and refuge, but the mineral, water, transportation considerations and so forth.

Your question, I think, is leading toward how to resolve the conflicts and it is certain that the Secretary will be asking the views and recommendations of the Planning Commission in the future as to how many of these lands are disposed of.

Senator BUCKLEY. Thank you.

Mr. HORTON. I am sorry I am unable to give you a decision this morning. It will be Secretary Morton's announcement on Wednesday.

Senator BUCKLEY. I appreciate that. Thank you very much, Mr. Chairman, I have no further questions at this time.

Senator GRAVEL. What announcement will be on Wednesday?

Mr. HORTON. The Secretary will hold a press conference on Wednesday to announce the decision of the action that he must take by the March 17 date under the act.

Senator GRAVEL. Very good. Thank you very much, Senator.

I wonder if you are familiar with a letter that I sent to the Secretary on February 17, having somewhat of a priority interest in the Commission since it was my amendment that was adopted to establish the Commission. I sent him a letter with certain suggestions about the composition of the Commission. Are you at all familiar with the letter?

Mr. HORTON. Yes, sir; it is now on the Secretary's desk and it is part of his review before he makes the ultimate decision as to, first, what is the balance composition of the Commission and, second, what individuals should fill each slot.

Senator GRAVEL. All right. I think Senator Buckley may be interested, also. The import of my letter was not, of course, to hang on the geographical composition at all. In fact, I was more interested in seeing a composition that reflected the degree of interest, and I think that the interest found on the Federal side is represented in various departments of the Federal Government. I suggested that the composition be made up of an individual from Interior, and Mr. Horton would fill that capacity.

I suggested an individual from Defense, Agriculture, Commerce, Transportation, so that the various areas of interest with respect to the Federal Government be focused on as part of the planning relative to the Federal side.

I think the thoughts you posed of possibly having some composition relative to a broad national public interest in addition to the focus on Federal interest, I think that might have some merit, also. It should be considered, and I would hope that the Secretary in his selection would give some strong consideration to that.

Mr. HORTON. We are certainly aware of the success of composing the Federal Field Committee for Alaska and the very excellent job that they did in bringing together Federal agencies toward a common mission.

We also want to be completely clear in our own minds that if the majority of the Commission does come, at least from our side, does come from Federal agencies, that we do not foreclose on our very high professional talents that otherwise couldn't be made available. I think it is a matter of balance.

The people we look to on the Federal side and State side with other people, that could be enormously useful.

Senator GRAVEL. I think the Commission will be adequately made up of Alaskans on the State side, so that interest would obviously be taken care of right there.

Mr. HORTON. We are not at all sure that Governor Egan wouldn't select a nationalist as opposed to a member of the State. We will be working closely with Governor Egan in making up the Commission membership.

Senator GRAVEL. The thought on this proposal here, when you mention the success of the Federal Field Committee, was that it was made up of a conglomerate of interests with respect to the Federal Commission, so, I am sure you have it in other States as well, we have a proliferation of Federal activities that are totally uncoordinated.

Here we have an opportunity in dealing with land, which touches every other facet of life, to offer some degree of coordination, cooperation, one within the Federal Establishment juxtaposed with the State establishment, and to negate that possibility, I think, would be criminal in the new version of the system in Alaska.

Mr. HORTON. The Commission would coordinate that balance as well as including people from the outside. There may, for example, be a leading lawyer, leading economist, leading environment scientist. It might reflect a view much broader than simply what you might find in representation from the Federal Establishment.

These are the two points for consideration, without a decision having been reached.

Senator GRAVEL. Fine, we will wait and see the selection and try to assess the amount of balance.

Mr. HORTON. It has not been made at this time.

Senator GRAVEL. Good. Then I would just press upon you again my letter and the thought and parallel I have drawn between the Federal Field Committee and what you have evidenced as your views to similar composition. The Governor was automatically a member and now the Secretary selected yourself. The State government has appropriated \$200,000. I am distressed and chagrined to notice that there is no similar effort to the Federal side to put forth any money

at all. We follow very vigilantly the hearings before the Appropriations Committee, and there is nothing put through for 1972 or 1973. How are you going to get paid?

Mr. HORTON. That has been a personal interest of mine, Senator.

Senator GRAVEL. It is with that in mind that I asked the question.

Mr. HORTON. We are working with OMB and OMB will be working with both Appropriations Subcommittees on this. It was a matter of balancing the appropriations authorized for the State with the Federal Government.

If my reading is correct, it must be in like amounts. There will be a supplemental before the Congress, certainly in the very near future.

Senator GRAVEL. We can assume that you will be funded by—

Mr. HORTON. Hopefully by the supplemental and a normal appropriation in 1973.

Senator GRAVEL. Is there any specific reason why the delay took place in Interior?

Mr. HORTON. I think there is a very valid reason, and that is it was uncertain as to which Federal agency had the leading role in establishing the Commission.

If the President had nominated someone from outside of Interior, then it is not altogether clear that the responsibility would have fallen to the Department of Interior. So it was a matter of waiting till we knew who the President would nominate.

Senator GRAVEL. In the competition of the Commission, I don't know your background, let me just pose a question. Were you involved to any degree politically prior to this?

Mr. HORTON. Yes, sir; I was. I was executive director of the Wyoming Republican Party and I served in that capacity part time, continued with other responsibilities on our family ranch.

Senator GRAVEL. Certainly in that, it is a plus from a personal point of view. But the reason why I ask is because I want to stress one thing.

One of the greatest successes of the Field Committee was it being made up of nonpolitical activists, Mr. Joe FitzGerald, and other distinguished members of that group, who had no prior political experience. They came to the scene as professionals.

I wonder if the Commission, because of its lucrative salaries, might fall heir to what is called in political terminology, and some politicians and some elected officials look upon the courts with this type of cynical derision, it is unfortunate but they use the term, "a political dumping ground", to reward certain political activists.

Is there any danger to this happening to this Commission?

Mr. HORTON. If my judgment and knowledge of the proposals for the structure of the Commission and the people that might fill certain categories is at all correct, your worries are without any basis whatsoever. There is no political discussion going into the composition of the Commission.

Senator GRAVEL. I hope that is the case and I think in your case your activity with Interior, certainly your knowledge of Alaska, your activities in the pipeline mitigate against the charge being rendered in your case, but I can assure you I will be very diligent in the examination of the other appointees to see this trend is not established, to be either looked upon as an award to political activists or looked upon as a punishment since Alaska is far away and some people equate it with Siberia.

Senator HANSEN. May I say, despite the precedent that has been set for this sort of activity, the present administration finds, I think quite properly, the President has chosen to try to select people competent, qualified to do the job well, and I have every confidence that there will be no evidence of any political machinations in the operation of this Commission.

I would like also to point out to the chairman that, as you very well know, and I say this only for the record, that under section 17 the Planning Commission shall, among other things establish a Committee of Land Use Advisers to the Commission made up of representatives of commercial and industrial land areas in Alaska, recreational land areas, wilderness, Alaskan Natives and other citizens.

I think it is important that everyone understands what is included in the responsibilities and background of those persons who shall serve in an advisory capacity to the Planning Commission.

I know the chairman is very well aware of this fact. I would hope that there is a nationwide awareness that this bill has been very carefully drafted, as the chairman knows, and I think it will give every opportunity to bring into fruition the sort of planning that will assure the very best use being made of all of the lands of the great State of Alaska.

Senator GRAVEL. I can assure my colleague from Wyoming that I am well aware of the fact that this administration does not indulge in political machinations of this nature, and I do want to give a similar assurance in my capacity as a Senator from Alaska that, that the adversary method is the best way to guarantee that you do not fall prey to those machinations, though I know it is not the intention of the administration. I just want to give notice that I will be vigilant, and such machinations might never take place.

If that threat can act as an aid in precluding the possibility of those machinations, I think both our causes are served.

Where will be the offices of this Commission?

Mr. HORTON. The act, as you know, provides that the headquarters for the Commission must be in Alaska. I have not discussed with Governor Egan where the best site would be. My personal opinion is that Anchorage provides a very central location, and I would press upon him personally that the offices of the Commission be there.

Senator GRAVEL. You have a good choice. It is my home and I am happy to get you as a constituent of mine.

Do you have any idea at all as to what areas the Federal Government will have interest in protecting its interest?

Mr. HORTON. Certainly. Between the March 17 date and the September 18 date, which is the deadline for withdrawing certain areas under section 17(d)(2) for parks, refuges, scenic reservations and forests, an early consideration of the Commission will be to advise the Secretary as to the best lands up to 80 million acres, that he might withdraw for proposals to the Congress for creation in these four systems. But this is not to say that the Commission itself will have a prejudice only toward that one particular assignment. But the assignment has a calendar deadline dictated by the act, and it would have to have early attention given to those 80 million acres.

Senator GRAVEL. Obviously, with the Federal selection and already the State selection, would you view your role on the Commission as a role of sort of negotiating out the compromises?

Mr. HORTON. Well, the State is equally well represented on the Planning Commission, at least as provided by the act, as the Federal Government. Whether it acts as an arbitrator between the Federal and State establishments or acts as an independent body advising each equally, it is uncertain to say until we have a Commission established and confer among ourselves, but certainly the recommendations of the Commission will be fully public, as they must be.

Senator GRAVEL. One of the views in drafting the amendment, and I would hope that this could act as some guideline for you, I personally did view this as a vehicle for negotiation, which would not be of a normal nature, but would be of participants and people knowledgeable about the various problems on the Federal side and State side and to get involved in the day to day negotiations, and then the advice given would be advice in totality, which would be similar to a fait accompli, which would be normally established by the two establishments.

So I would commend to you that possibility, which I would sincerely think depends upon the degree of initiative of the two leaders on the Commission.

Mr. HORTON. And the composition of the Commission.

Senator GRAVEL. Yes, I think yourself and the Governor should show some good initiative in this regard. I think it would save a lot of mashing of teeth and expiration, because of your good offices and those of the Governor. I know the Governor personally and he has a great sense of compromise.

Mr. HORTON. That is one of the great hopes of the Commission, that it can provide that service to the State and to work these out, but when the deliberations are completed, the recommendations will be formally delivered and available for anyone to see.

Senator GRAVEL. Prior to formal recommendations, you do envisage holding hearings?

Mr. HORTON. Very definitely.

Senator GRAVEL. How large a staff do you contemplate taking on?

Mr. HORTON. My personal preference is a small but very high caliber staff, but it will depend, of course, on the appropriations made available. It will depend on our discussions with Governor Egan and his people.

Senator GRAVEL. Of course, one of the areas of expertise that you have developed and certainly most important for Alaska at this point, is the trans-Alaska pipeline. I wonder if you could give us any enlightenment as to what would be the relationship with your new position and the on-going activity of the effect of the pipeline in Alaska?

Mr. HORTON. Yes, I will have no further relationship whatsoever with the pipeline once I have been appointed. I would no longer be Deputy Undersecretary of the Interior. I would obviously retain close relationships with the Department as the Commission proceeds, but I would certainly sever any commitments that I now have with my internal responsibility in the Department. It is our judgment now that we should have the environmental statement on the pipeline completed and made public one week from today.

Senator GRAVEL. But certainly your position as head of the planning section of the Federal Government for Alaska, and the pipeline being the most significant industrial commercial endeavor in Alaska, if not in the world, of this nature, you just can't divorce yourself from it.

You will be in it up to your eyeballs, whether you like it or not.

Mr. HORTON. To the extent that I can divorce myself, Senator, I would assure you that I will. I would also point out that the acreages for the proposed pipeline is something in the area of 40 square miles, and the State of Alaska occupies 365 million acres. My responsibility must be considerably broadened to include the charges of the Commission. The experience that I have gained through our analysis of the pipeline has been enormously valuable in the sense of understanding Alaska and its environmental problems. But I would not myself envisage any formal relationship between my cochairmanship on the Commission and affairs of the pipeline, except as they might relate to land planning in Alaska.

Senator GRAVEL. I was instrumental in getting a \$500,000, along with my colleague Senator Stevens, a \$500,000 addition to the BLM budget for land planning for the pipeline. Has that money been expended and, if so, was it expended under your authority?

Mr. HORTON. Yes, to make sure that we identify two issues here. The appropriations for our analysis of the proposed pipeline is completely different than the \$350,000 that was made available to the Bureau of Land Management for land planning.

As you know, there is now a joint Federal-State planning team in Anchorage of 15 to 18 Federal employees, and I think, six to eight State employees that are now composing what will hopefully be the staff of the Commission.

Senator GRAVEL. Were you related in any way to this \$350,000?

Mr. HORTON. It was my proposal, if there were any doubt that the Congress might not act by creating a land use planning commission or committee, that we take the necessary steps to establish within-house and within the Federal Establishment, some planning effort. So I have been a strong advocate of the creation of a planning unit.

This has been underway since September. The Federal and State people are working very closely. In fact, a great deal of our resource information on which we base the decisions that the Secretary will announce Wednesday, was derived from the very excellent work that the planning team had done.

Senator GRAVEL. They only used \$350,000?

Mr. HORTON. That is the appropriation on an annual basis.

Senator GRAVEL. I was sure the authorization was for \$500,000.

Mr. HORTON. We requested \$550,000. It is my understanding we received only \$350,000, but I can correct that and I certainly will correct it for the record if I am in error.

Senator GRAVEL. If there was an amount that has lapsed, is it possible that can be brought under your activities for some extra funding, so we can accelerate the amount of planning taking place?

Mr. HORTON. We are examining that possibility now. We haven't reached a decision. I am hopeful that will be done.

Senator GRAVEL. Very good.

We have the stipulations. What will be issued next week by the Secretary?

Mr. HORTON. This will be the sixth volume of the final environment statement required by the National Environment Policy Act. In three other volumes, the economic and security analyses, there will be three volumes in that. There will be a total of nine volumes in our overall analysis. In one of these volumes will be included the stipulations for the proposed system.

Senator GRAVEL. The stipulations have already been released?

Mr. HORTON. They have been released for review by the Federal task force, but until this review is complete and until we have some comments back from them, it won't be ultimately complete. But they are complete as far as the Department of Interior is concerned.

Senator GRAVEL. Once we have the stipulations and the statement, what remains as a deterrent to the Secretary issuing a permit and, from your knowledge, if they are going to issue this statement next week, does the Secretary feel that we can go ahead now and issue a permit, or does the statement frighten him sufficiently so that he might not want to issue a permit?

Mr. HORTON. Following the release of the document next Monday, the nine volumes, and the accompanying studies, transcripts of the hearing, et cetera, the documents will be filed with the Council on Environmental Quality for a 30-day review period, and the Secretary has not determined at this time what his future course of action will be.

He has indicated that he will use the documents for discussions within the administration. He has not reached a decision at this time as to future action on the permit request.

Senator GRAVEL. So nobody has made up their mind whether or not—

Mr. HORTON. There has been no decision on the proposal for the trans-Alaskan pipeline at this time.

Senator GRAVEL. Is that based upon the fact that they are waiting for these comments from the Environmental Commission?

Mr. HORTON. No, it is based on what is certainly the requirement of the National Environmental Policy Act, that no action be taken until this statement be completed. Until a week from today it will not be completed.

Senator GRAVEL. There is what, 30 days in which to act?

Mr. HORTON. That's right, but during that 30 days a very necessary consideration is public review. Of course, that is set forth in the guidelines.

Senator GRAVEL. What can the public do when they review it?

Mr. HORTON. They will have 30 days in which to comment if they so desire.

Senator GRAVEL. What happens to their comments?

Mr. HORTON. If they are sent to us, certainly the comments will be taken under consideration as to future course of action.

Senator GRAVEL. Future course of action could be approval or nonapproval?

Mr. HORTON. That's right.

Senator GRAVEL. Would there be a possibility to open up hearings?

Mr. HORTON. That is certainly a possibility. I think the Secretary is waiting to see the comments, waiting for the results of his discussions within the administration before he determines the best course of action to take.

Senator GRAVEL. So under your time scenario, the 15th of the month, it will probably be around the 20th of this month and then by the 20th of April we should have a decision made by the Federal Establishment with respect to the pipeline?

Mr. HORTON. Certainly within that month there should be some decision announced from the Secretary of the Interior.

Senator GRAVEL. Could I press upon you again that the pipeline and the construction is only one activity. The interest to be created in the land along the way would certainly warrant a great deal of planning, planning related as it traverses the entire State, so I would hope that you would not extricate yourself from the continuity of this activity and use your expertise as now cochairman and the knowledge you have acquired, to maintain a hand in this planning effort.

Mr. HORTON. But it is important that my mission and responsibility with the Commission relate to planning of the entire State. But certainly transportation quarters and utility quarters are important facts of any land planning mission, as the Congress recognized in allowing the early withdrawal of the utility quarter to the north slope which has been done.

Senator GRAVEL. I would predict, your responsibility lies to the entire State and more importantly to the Nation, but I would say that were the land planning activities associated with the pipeline unsuccessful, your tenure of office would be a total failure, regardless of how successful you are with everything else.

Mr. HORTON. I understand your concern, Senator.

Senator GRAVEL. Do you feel your activities as a possibility of suggesting legislation that might be implemented to facilitate activities within the State of Alaska?

Mr. HORTON. Yes, and I believe one of the requirements of the Commission is to do just that, to advise the State on those types of possibilities.

Senator GRAVEL. I believe I have covered all of the questions I have.

We will leave the record open for anybody who might want to include statements.

Senator BUCKLEY. Mr. Chairman, I would like to ask one final question, if I may?

It seems to me that a third party that might be involved in the land use planning, do you contemplate cooperation or your beginning cooperation between the Commission and other authorities, such as the Canadian authorities?

Mr. HORTON. My personal response clearly prior to the meeting of the Commission, is strongly yes, that land planning in Alaska has very definite long-range important implications for close relationships with various Canadian authorities, and we have that, internally, under definite consideration.

Senator BUCKLEY. Thank you very much.

What prompted my question is I have been following for some time the proposal for an International Arctic Wildlife Preserve.

Mr. HORTON. Yes, there are 8.9 acres. There have been informal discussions for the possibility of extending that into Canada. You are aware that Canada created a new park that would abut the Canadian-American boundary and there are certainly possibilities for extension of parks, or refuges, or land for other purposes. These things are very definite possibilities.

Senator GRAVEL. That is an excellent point you brought up. I would personally think that you would enhance your activities in the job done for Alaska and the Nation with a closer cooperation with the Canadian Government, not only on the Federal level, but certainly

on the provincial level with the officials of the Yukon Territory. I think you would find them very accommodating, very friendly, and very useful in developing an attitude that would bring about some definitive results. So I think that is an important consideration.

If you must coordinate it with State, the Department of State, in this area—I don't know precisely how the activities could take place. I know in my occasion I go there and visit with them. I would hope that you could do similarly and not rely upon the formalities of State.

Mr. HORTON. I see no reason at all why informal negotiations or discussions with any Canadian governmental body could not go ahead. Certainly anything formal that might be ratified must include the State Department, but I don't see this as being any major hurdle to get across. It is a matter of using intelligence and common sense, about what our objectives are and the best routes to get there.

But certainly anything of a formal nature, the State Department must be closely advised.

Senator GRAVEL. The executive session is scheduled for Wednesday. I would appreciate it if you would hold yourself available to the committee on Wednesday in case we have some personal questions to ask you.

If there are no further questions, this committee is adjourned.

We thank you very much.

(Whereupon, the committee was adjourned at 11 a.m.)