

February 2021

Public Land Review Commission Revisited

Wayne N. Aspinall

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

Recommended Citation

Wayne N. Aspinall, Public Land Review Commission Revisited, 54 Denv. L.J. 383 (1977).

This Front Matter is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

DENVER LAW JOURNAL

VOLUME 54

1977

NUMBERS 3-4

PROLOGUE

PUBLIC LAND LAW REVIEW COMMISSION REVISITED

By WAYNE N. ASPINALL*

During the late 1950's and early 1960's, several members of Congress, charged with legislative responsibility over the federal lands, became convinced that a new study of these federal national resources was not only timely but was absolutely necessary. The reasons for the study have best been set out in the law authorizing the establishment of the Public Land Law Review Commission.¹ In relevant part this law reads as follows:

Because the public land laws of the United States have developed over a long period of years through a series of Acts of Congress which are not fully correlated with each other and because those laws, or some of them, may be inadequate to meet the current and future needs of the American people and because administration of the public lands and the laws relating thereto has been divided among several agencies of the Federal Government, it is necessary to have a comprehensive review of those laws and the rules and regulations promulgated thereunder and to determine whether and to what extent revisions thereof are necessary.²

The Commission was organized in 1965. It consisted of six members of the United States Senate,³ six members of the House of Representatives,⁴ and six public members appointed by the

* Former Chairman of the Public Land Law Review Commission, and Conference Chairman; presently employed as a Natural Resources Consultant, Palisade, Colorado.

¹ Act of Sept. 19, 1964, Pub. L. No. 88-606, 78 Stat. 982 (codified at 43 U.S.C. §§ 1391-1400 (1970)).

² 43 U.S.C. § 1392 (1970).

³ The senatorial appointees at the time the report was issued were Gordon Allott (R., Colo.), Clinton P. Anderson (D., N.M.), Alan Bible (D., Nev.), Paul J. Fannin (R., Ariz.), Henry M. Jackson (D., Wash.) and Len B. Jordon (R., Idaho).

⁴ The appointees from the House of Representatives at the time the report was issued were Walter S. Baring (D., Nev.), Laurence J. Burton (R., Utah), John H. Kyl (R., Iowa), John P. Saylor (R., Pa.), Roy A. Taylor (D., N.C.), and Morris K. Udall (D., Ariz.).

President.⁵ A Chairman elected by the eighteen members of the Commission was aided by eight official federal liaison members, an Advisory Council of twenty-five nongovernment members, fifty governors' representatives, and a staff of professional and clerical personnel headed by a director, the late Milton A. Pearl.

The work of the Commission was completed in approximately six years. Its report, *One Third of the Nation's Land*,⁶ was delivered to the President and the Congress during the latter part of June, 1970. The Commission's report contained 17 formal recommendations in the introductory summary, 137 specific recommendations in the body of the report, and numerous recommendations as backup suggestions to the specific recommendations.

As of April 1, 1977, some of the recommendations of the Public Land Law Review Commission had been implemented by Congress and approved by the President. Others, which did not need legislative attention, had been implemented through the administrative rulemaking authority of the various federal agencies.

During the early part of October, 1976, after consultation between Professor John A. Carver and Dean Robert B. Yegge, both of the University of Denver College of Law; H. Byron Mock, former Vice President of the Commission; Charles Conklin, Assistant Director of the Commission; and Wayne N. Aspinall, Chairman of the Commission, it was agreed to contact former members of the Commission to determine whether a sufficient number favored a Commission reunion in Denver during the early part of 1977. The response was overwhelmingly in favor of such a meeting. The College of Law, in conjunction with the *Denver Law Journal*, agreed to sponsor the undertaking. Accordingly, the Public Land Law Review Commission Revisited Conference was set for April 1 and 2, 1977. All Commission members were invited.

Professor Carver arranged for the program speakers and the subjects of their presentations. The purposes of the conference were agreed upon as follows:

⁵ The presidential appointees at the time the report was issued were H. Byron Mock, Robert Emmett Clark, Maurice K. Goddard, Philip H. Hoff, Laurence S. Rockefeller, and Nancy E. Smith.

⁶ PUBLIC LAND LAW REVIEW COMMISSION, *ONE THIRD OF THE NATION'S LAND* (1970).

1. To review governmental actions and decisions made since the filing of the Commission's report, and
2. To continue efforts to generate individual and collective interest in the important public land law matters which had occupied the Commission for six years.

More than 100 persons attended the conference. The program was strictly adhered to. The value of the meetings can be attested to only by the individuals who were present. I for one, however, consider the conference to have been one of the most successful, pleasurable, and educational experiences of my life.

