

**AMERICAN WATER: THE SEARCH FOR COORDINATED NATURAL
RESOURCE MANAGEMENT AND THE ARMY
CORPS OF ENGINEERS**

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ABSTRACT

Today the responsibility of water resource management issues such as irrigation, flood control, hydroelectric power, pollution control, and data research and mapping are divided among federal agencies such as the Army Corps of Engineers, the Department of the Interior, the Department of Agriculture, the Federal Power Commission, and federal service agencies such as the U. S. Public Health Service. In the 1950s the Commission on the Organization of the Executive Branch of the Government attempted to consolidate all the federal water resource responsibilities under one single agency. The Commission argued that the lack of coordination in water resource management caused overlapping jurisdiction and wasted time and money. This thesis elaborates on the fight to create a single water resource agency and why water resources management remains Balkanized to this day.

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INTRODUCTION

Swamplandia!, Karen Russell's 2011 Pulitzer Prize Finalist novel, followed the fictional Bigtree family on their quest to save their gator-wrestling theme park on an island off of Southern Florida.¹ Besides the competition from a newer oceanic-themed park, the Bigtree family also faced the growth of an exotic and invasive species of tree bent on taking over their island. In the novel, the United States Army Corps of Engineers introduced the invasive tree onto the island in an effort to drain the swamplands and access the rich peat underneath. The patriarch of the family joked one could sum up the actions of the Corps of Engineers in one word "oops." The operations of the Corps caused wildfires, erosion, and an abundance of exotic trees that depleted acres of swampland a day. The entire Bigtree clan both despised and distrusted the Army Corps of Engineers. Although a fictional story, the attitudes of the Bigtree family reflected a conception of the agency that found its way into contemporary American culture: the Corps of Engineers as an inept and environmentally destructive federal organization.

In 1802 Congress permanently established a branch of engineers within the United States Army, the Army Corps of Engineers.² From their inception, the Corps of Engineers continually interacted with the natural environment. In the nineteenth century, the job of the Corps remained primarily the construction and maintenance of coastal fortifications but also map drawing and repair to damaged military works. After the War of 1812, the nation placed a higher emphasis on improved defense and transportation

¹ Karen Russel, *Swamplandia!*, (New York, NY: Vintage Books, 2011).

² The US Army Corps of Engineers, *The U.S. Army Corps of Engineers: A History* (Alexandria, VA: U.S Army Corps of Engineers Office of History, 2008) 45-73.

system in the country and in 1824 charged the Corps with the maintenance and improvement of rivers and harbors within the country. The Corps of Engineers cleared riverbanks to prevent falling trees, removed obstructions from rivers, built dams, and dredged canals in order create channels large enough for safe passage. In 1936, Congress also entrusted the agency with the responsibility for flood control measures in the nation.

Marc Reisner, in his monograph about the American West, *Cadillac Desert*, argued that the Corps of Engineers enjoyed little opposition to their projects until the 1960s and the rise of the nascent environmental movement.³ Michael Robinson, in “The Relationship Between the Army Corps of Engineers and the Environmental Community, 1920-1969” also argued that a rise in environmentalism in the 1960s and 1970s caused a rise in opposition to the actions of the Corps of Engineers.⁴ Environmentalists argued the agency’s projects caused environmental degradation and used new techniques such as the National Environmental Protection Act to force environmental accountability upon the agency.

Before the traditional environmental movement, however, Robinson described some early and successful, albeit small scale, environmental critiques of the Corps of Engineers. He argued that in most instances in the first half of the twentieth century, the mission of conservationists fit nicely in with that of the Corps of Engineers. Supporters of conservation promoted the efficient development and use of natural resources. A dam to protect flood control could also store water to use later to enhance navigation, create electric energy, and provide water for irrigation as well as human and industrial

³ Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Desert*, (New York, NY: Penguin Books 1986), 145.

⁴ Michael Robinson, “The Relationship Between the Army Corps of Engineers and the Environmental Community, 1920-1969” *Environmental Review*, Vol 13 No 1 (Spring 1989) 1-41.

consumption. Environmental critiques arose, however, in some instances when the action of the Corps or, in some cases, the inaction of the agency caused environmental degradation to an area well known to a specific group of people. For instance in 1912 the Corps of Engineers acquired the responsibility of a canal that connected Norfolk, Virginia with the Currituck Sound as part of the federal government's Intracoastal Waterway. The original owners of the canal built a tidal guard lock to preserve the freshwater in the Currituck Sound from salt-water contamination. Congress authorized a larger tidal guard lock in order to continue protecting the Currituck Sound, but the Corps believed the lock was not necessary. The Corps also decided to remove older gates and locks within the waterway. Consequently, the influx of salt-water significantly disturbed the ecology of the area.

The Currituck Sound had become internationally famous as a sportsman's paradise after the Civil War. Wealthy fishermen invested in the area that boasted an abundance of black bass and migratory birds such as swan, geese, and ducks. North Carolina and Virginia created fish and game agencies to protect and regulate the popular destination. When the incursion of salt-water began to harm the ecology of the area, hunters, fishermen, and fish and wildlife professionals formed a coalition to force the Corps of Engineers to fix the problem. The Corps refused after a study showed a lock would in no way improve navigation. The alliance of pro-lock supporters argued that the Corps slighted environmental concerns. They successfully brought their opinions to Congress through the help of the Izaak Walton League, the most effective critic of federal water programs at the time. The group helped negotiate a special agreement where the

Corps of Engineers would build the lock with the help of financial support from the supporters.

Robinson also described another environmental critique lodged at the Corps of Engineers in the 1940s. In 1942 the agency planned a dual-purpose flood control and power dam at the intersection of Mill Creek and Clarion River in Cook Forest State Park in Pennsylvania. Conservation opponents argued that the dam would inundate a portion of primeval forest within the State Park. The principal opponent, the Pennsylvania Federation of Sportsman's Clubs, publicized the fact that within ten years the effects of the dam would destroy 85 percent of the virgin trees in the area. Other hunters, fishermen, and local politicians created enough public backlash that the dam was no longer politically feasible in 1942.

In both instances, Robinson described conservation efforts that lodged environmental critiques against the Corps of Engineers based on the argument that the environment needed consideration. Robinson concluded, however, that these instances remained the exception and not the rule. While conservationists who wanted to preserve nature did win some victories, the recognition of the ecological or scenic values of an area rarely succeeded in creating enough pressure to defeat or modify a water project plan. The environmental critique of the agency, however, enjoyed more success in the 1960s and 1970s, the period traditionally identified as the American environmental movement. Robinson concluded that the rise in environmentalism caused a rise in the intensity of opposition to the Corps of Engineers. Suddenly the Corps faced critiques from a powerful environmental movement that questioned their methodologies and practices. Environmentalists continually brought the Corps to court, slowing down and

sometimes defeating the construction of their projects. Before that, however, he described the Corps of Engineers as a powerful federal agency that enjoyed the support of a public that favored river development to promote flood control, irrigation, navigation, and hydroelectric power.

During the Progressive era and the New Deal, both lawmakers and public opinion praised the Corps as an important federal water resource agency and applauded their large-scale construction projects. In 1936 Congress expanded upon the power of the Corps of Engineers to include flood control in addition to their responsibilities for rivers and harbors improvements. The Corps of Engineers built over 400 reservoirs in the years following the act primarily for the benefit of flood control.⁵ By midcentury the Corps also emerged as the largest constructor and operator of federal power facilities, aligning hydropower projects with their mission of flood control and navigation improvement. Reisner described the years between 1930 and 1950 as “The Go-Go Years” of the federally funded water resource projects.⁶ In the 1930s the Corps of Engineers and the Bureau of Reclamation constructed the four largest dams ever built at that time: Hoover, Shasta, Bonneville, and Grand Coulee. Not only did they erect gargantuan structures for exorbitant costs, they also did it at what Reisner called “breakneck speed.”

Dam building closely aligned with Progressive ideology of the first third of the twentieth century.⁷ Progressive reformers saw natural resources dwindling and worried that those left remained exposed to monopolistic financiers. By turning natural resource development into a highly organized, technical, and centrally planned organization, the

⁵ The US Army Corps of Engineers, *The U.S. Army Corps of Engineers: A History* (Alexandria, VA: U.S. Army Corps of Engineers Office of History, 2008) 45-73.

⁶ Reisner, *Cadillac Desert*, 145.

⁷ Daniel Rodgers, “In Search of Progressivism” *Reviews in American History*, 1982.

federal government could promote economic democracy for a greater number of citizens by eliminating waste and inefficiency. In terms of water resource management, the federal government could provide water to the public and also safety from water. Progressive notions about the natural environment tied closely with ideas about conservation. The essence of conservation was rational planning.⁸ Ari Kelman described the Progressive impulse to control the Mississippi River in New Orleans through scientific and rational planning.⁹ At the turn of the twentieth century, city leaders reformed the waterfront in Progressive era fashion. Based on the most up to date scientific knowledge, city planners created an efficient system of erosion resistant wharves, commodity elevators, and massive steel warehouses. The modernization of the waterfront would benefit the public and capitalist development.

Progressive ideology also aligned with Republican ideology, the party who enjoyed ascension in the White House during the first third of the twentieth century.¹⁰ Republicans supported the creation of a national environment favorable to industrial development and saw the responsibility to support industry as a concern of the federal government. They advocated for internal improvements such as highways, canals, and water projects as legitimate actions of the government. Both Progressives and Republicans in the early twentieth century created a favorable environment for federal water resource projects like those conducted by the Corps of Engineers.

⁸ Samuel Hays, *Conservation and The Gospel of Efficiency: The Progressive Conservation Movement, 1890-1920* (Cambridge, MA: Harvard University Press, 1959).

⁹ Ari Kelman, *A River and its City: The Nature of Landscape in New Orleans* (Berkeley, CA: The University of California Press, 2003).

¹⁰ Norris Hundley, *The Great Thirst: Californians and Water 1770s-1990s*, (Berkeley, CA: University of California Press, 1992) 243-247.

Progressive era dam building was full of the rhetoric of democratization and central authority in the public interest, yet scholars have pointed out the federal hand in water resource management did not always create the desired effect. Donald Worster, in *Rivers of Empire: Water, Aridity, and the Growth of the American West*, looked at irrigation management in the West.¹¹ Proponents of a federal hand in building large-scale irrigation systems outlined the democratizing effect the system would have on the country. They assumed that conquering the desert through irrigation would create a more perfect democracy: irrigation epitomized the most current scientific agriculture and represented progress and rational planning, peaceful conquest of nature and industrial independence for small farmers. Worster argued, however, the federal government's foray into irrigation, realized by the Newlands Reclamation Act in 1902 and the creation of the Bureau of Reclamation, did not have the democratizing effect promised by its champions. The bureau's projects benefitted large private landholders and not the public. He described a joint capitalist and state controlled water system that developed in the American West. Worster concluded that in the field of irrigation two sectors of power worked together to control water in the West: a private sector of wealthy agriculturists and a public sector of bureaucratic planners, specifically the Bureau of Reclamation. The accommodation of the two parties resulted in an exploitation of workers and the continuation of wealth and power in the hands of large agrarian landholders. Worster portrayed not a system of democracy in the West, but rather the exploitation of workers and the concentration of wealth and power in the hands of few.

¹¹ Donald Worster, *Rivers of Empire: Water, Aridity, and the Growth of the American West* (New York, NY: Pantheon Books, 1985).

A strong coalition of politicians, administrators, and political scientists formed in midcentury that disagreed with the actions of federal agencies involved in the construction of water resource projects. While Worster primarily focused on the Bureau of Reclamation, this paper will investigate the challenges to another prominent actor in federal water resource management: the Army Corps of Engineers. The coalition did not oppose the construction of water projects such as dams and harbor improvements like conservationists who favored the preservation of natural areas, rather critiqued the undemocratic methods the Corps used to gain authorization to construct such projects. The coalition argued that the agency, whose power and breadth grew during the Progressive era and the New Deal, failed to adhere to a rationalized system of water management envisioned by earlier Progressive reformers. They argued that no coordination existed between the agencies responsible for water resource management and the lack of a harmonious management system created both economic and social costs. Instead, the Corps of Engineers engaged in discrete and specific projects with little regard for how their actions impacted larger issues of water resource management. The coalition publicly denounced the actions of the Corps of Engineers and attempted to divest the agency of their responsibility for civil works projects involving water resource management. They recommended that the civil works functions of the agency be taken away from the Department of Defense and asserted the authority of the executive branch to ensure sound water resource management.

The environmental critique of the 1960s and 1970s, described by scholars like Reisner and Robinson, related closely to the evaluations of the Corps of Engineers made in the 1940s and 1950s. Environmentalists also desired a coordinated system based on

rational planning but expanded the system to include the safeguard of the national environment. The environmentalists effectively integrated earlier environmental critiques of the Corps made by conservationists interested in preservation and the coalition of the 1940s and 1950s interested in a coordinated and rational water resource management system.

To both groups, the Corps represented a federal agency that actively evaded a coordinated water resource system. Critics in the 1940s and 1950s tried to use Presidential reorganization to force the Corps to heal and assert the authority of the executive branch. The opposition, which had stakes in the continued balkanization of water resources, defeated reorganization measures. Water resource agencies remained uncoordinated during the environmental movement yet certain environmental legislation, such as the National Environmental Policy Act, attempted to reign in the Corps of Engineers and force administrative responsibility upon the agency.

CHAPTER 1: THE COALITION

One early and passionate opponent of the practices and methodologies of the Corps of Engineers was Arthur Maass. Maass, a political scientist who received his PhD from Harvard in 1949, worked in the government department of the university from 1948 to 1984. He worked in various agencies during World War II including the Office of the Secretary of the Navy, the Bureau of the Budget, and the Natural Resources Planning Board. His experience with the federal bureaucracy prompted his professional work to focus on legislative and administrative processes specifically the management of natural resources. Maass' Harvard dissertation became his first book: *Muddy Waters: The Army of Engineers and The Nation's Rivers*, a scathing critique of the Corps of Engineers.¹²

Harold Ickes, former Secretary of the Interior to Franklin Roosevelt, set the tone for Maass' book in the foreword.¹³ Hailed as one of the most effective public officials in the history of the Department of the Interior, Ickes began his career as a political reformer in Chicago.¹⁴ Progressivism heavily influenced Ickes before he reached cabinet status in 1933. He believed in protecting the public welfare through the use of government and in planned development and productive employment of natural resources. While he served as the Secretary of the Interior, Ickes imagined the incorporation of all conservation

¹² Arthur Maass, *Muddy Waters: The Army of Engineers and The Nation's Rivers* (Cambridge, MA: Harvard University Press, 1951).

¹³ Harold Ickes, forward to *Muddy Waters* by Arthur Maass (Cambridge, MA: Harvard University Press, 1951), x-xiv

¹⁴ Linda Lear, *Harold L. Ickes: The Aggressive Progressive 1874-1933* (New York, NY: Garland Publishing, 1981).

activities within the Department of the Interior.¹⁵ He fought fervently for the transfer of the Department of Agriculture to the Department of the Interior. He dreamed of establishing an unmatched record as a conservationist, but also wanted to gather more authority within his own agency. Ickes argued that private and uncontrolled exploitation of resources threatened the future of the nation and he bound up these ideas with “...typically Progressive hostility to ‘the interests,’ those selfish and generally corrupt groups that exploited the people for the sole aim of aggrandizement and profit.”¹⁶

Ickes proved his abhorrence for self-serving interest groups during the controversy over the Central Valley Project in the early 1940s.¹⁷ In 1937 Congress authorized the construction of a series of dams by Bureau of Reclamation that would irrigate 250,000 acres of existing farms and three million new acres in the Central Valley of California. A small provision in the 1902 reclamation law limited federal water to 160 acres of irrigable land per single landowner. The provision intended to spread federal irrigation benefits evenly throughout the area where the Bureau of Reclamation constructed projects. The Bureau, however, tended to evade rigorous enforcement of the law and generally supported farmers who applied for exemptions to the acreage limitation. A survey in 1946 revealed that 3.4 percent of all ownership on Bureau projects exceeded 160 acres, and those owners held 30.5 percent of all project land. As an agency first and foremost interested in survival, the Bureau of Reclamation tended to ally with whomever held power in the area, and in the Central Valley that was large landowners. Growers in the valley lobbied for an exemption to the acreage limits and expected the

¹⁵ Graham White and John Maze, *Harold Ickes Of the New Deal: His Private Life and Public Career* (Cambridge: MA: Harvard University Press, 1985).

¹⁶ White and Maze, *Harold Ickes Of the New Deal*, 159.

¹⁷ Worster, *Rivers of Empire*, 243-255.

Bureau to comply as it had previously in the Imperial Valley and for farmers in Nevada and Colorado. The Bureau's chief engineer, S.O. Harper publically agreed with those who lobbied for an exemption to the acreage limitation.

Ickes, however, along with the help of muckraking California liberals, chastised the Bureau of Reclamation for not enforcing the 160 acreage limitation. To Ickes the large landowners of the Central Valley represented a selfish interest group who tried to evade the acreage limitation put in place in order to protect public welfare and distribute federal water evenly throughout the area. The Bureau of Reclamation, in their propensity to overlook the 160 acreage limitation on federally irrigated water, also prevented an efficient and democratic use of water resource management. He worked with Congress to deny the large landowners exemptions in an effort to promote a more democratic system of irrigation in the West. As the Secretary of the Interior, Ickes was able to help enforce the acreage limitation and pester the faucet of federal water large landowners enjoyed. The defeat of exemptions in the Central Valley Project proved Ickes' commitment to a Progressive notion of water resource management.

In Ickes' view, the Corps of Engineers, like the Bureau of Reclamation and their failure to enforce acreage limits, did not follow the Progressive ideal of proper water resource management. In his short five-page foreword, Ickes painted an unforgiving picture of the Corps of Engineers as an elite clique of Army officers who attempted to control every drop of water that fell from the sky. Ickes argued, "it is to be doubted whether any federal agency in the history of this country has so wantonly wasted money on worthless projects as has the Corps of the Army Engineers."¹⁸ A greedy and power

¹⁸ Ickes, forward to *Muddy Waters*, xii.

hungry bunch, the Corps perfected the Congressional pork barrel and operated less like a bureau of the executive branch and more like a powerful lobbying group.

Although his hatred for the wasteful spending by the Corps of Engineers remained evident, Ickes' main concern with the agency was that it operated as if it were above the law. He argued that the Corps invaded the jurisdiction of other federal bureaus, regarded themselves as above civilian control, and frequently defied direct orders from the President. The agency acted in such a way because of its close relationship with Congress. For a Congressional representative, to attach their name to a large Corps of Engineers project looked favorable in the eyes of many constituents. This basic premise combined with ardent lobbying by the engineers for Congressional appropriations led to an agency that specifically functioned in order to execute the projects of certain Congressional representatives. Even though the Corps of Engineers executed these projects, Ickes portrayed the Congressional representatives who approved them as subservient to the self-seeking engineers. The wasteful and reckless behavior of the agency stemmed from a lack of federal control. Ickes stated that he believed the civil functions of the Corps of Engineers should be transferred to the Department of the Interior, taken away from the lawless and irresponsible agency. The transfer, he believed, would foster a coordinated and rational system of water resource management.

While Ickes' foreword read more emotionally charged, in the rest of the book Maass gave a more scholarly evaluation of the administrative responsibilities of the Corps of Engineers although he still reached many of the same conclusions. Maass' narrative focused on the importance of bureaucracy in a constitutional democracy and he argued that no government could survive without an efficient administrative organization.

Maass espoused a certain belief in the way a bureaucracy should operate: “it has already been established that clearly responsible government can be attained with more certainty in the modern democratic state if the administrative agency is held directly responsible to the chief executive and indirectly responsible to the legislature.”¹⁹ He argued that the Corps did not fall into this desired pattern, but rather reported directly to Congressional committees. The Corps often fell into patterns of direct relations with individual senators and representatives because of their statutory authorization process.

The project authorization process that the Corps of Engineers followed allowed the agency to escape any oversight by the Chief Executive. The process began when local interests requested an examination or survey for a project from their congressional representative.²⁰ Local interests brought their inquiry first to Congress because the right to conduct a survey needed specific authorization by the legislature. A representative then wrote the project into the survey authorization section of an omnibus rivers and harbors or flood control bill. They presented the project to the public works committees of the House and Senate, which prepared such legislation. Once approved, a preliminary examination to ascertain the economic feasibility of a project began. The project underwent public hearings and comments from interested state and federal agencies. When the chief of engineers found a favorable preliminary examination, the legislation automatically authorized a survey.

The chief of engineers submitted the survey report to the House Committee on Public Works that held public hearings. Engineers defended their reports and the subcommittee then drew up a bill to present to the full committee and the whole house.

¹⁹ Maass, *Muddy Waters*, 61.

²⁰ Mass, *Muddy Waters*, 23-38.

The bill then passed from the House to the Senate and the engineers crystalized the plan. In the final process, Congress appropriated money to the engineering district that executed the plan on a project by project basis. The process to authorize public works projects of the Corps of Engineers differed from other federal bureaucracies like the Bureau of Reclamation.²¹ Congress controlled the authorization of future appropriations and the final vote for money either for studies of construction for projects by the Bureau of Reclamation. The executive branch, however, determined what plans for works at all stages get sent to Congress.

Unlike the projects of Bureau of Reclamation, flood control law enjoyed a direct line to Congress through its authorization process. Due to this process the Corps of Engineers developed a close relationship with Congress. Maass argued the Corps did not fall into the desired pattern of administrative responsibility first to the executive branch but rather, reported directly to congressional committees. The Corps often fell into patterns of direct relations with individual senators and congressional representatives whose proposed projects were not subjected to any type of executive oversight. The lack of oversight allowed Congressional interests to take advantage of the services provided by the Corps of Engineers and for pork barrel politics to dominate the decision making process rather than coordinated and rational resolutions. Maass named the most detrimental consequence of this situation: the failure of the Corps to formulate a national water policy.

Maass contended that Congress pressured the Corps of Engineers into approving specific and localized projects through the authorization process. Congress encouraged

²¹ Vincent Smith “Army-Reclamation Merger Held to Be Unlikely This Year” *Engineering News-Record*, April 13, 1950.

local participation so that those individuals involved could protect their interests in the project. In theory it remained the Corps of Engineers' administrative responsibility to ensure that those individuals represented everyone who would be affected by proposed projects. Maass argued that the Corps only considered highly localized opinions and gave little attention to the wider population that might be affected. Congress responded only to local interests who do not have the foresight to see beyond their local problem to basin-wide developments. These local interests often organized through associations with close links to Congress.

One such group, the Atlantic Deep Waterways Association, was founded in 1907 to expand an intercostal waterway system along the Atlantic from New England to Florida, a 2000-mile water route.²² The association's primary goal remained to further the water route through development and expansion by the federal government. The association segmented the stretch of water into twelve links to create a comprehensive route to be completed by the federal government and by 1941 the federal government constructed eleven of the twelve links.

Maass described the close relationship between the Corps of Engineers and the Atlantic Deeper Waterways Association: member of the organization, consisting of municipal, State, and some national officials and legislators, trade associations, chambers of commerce, and maritime business interests, frequented hearings conducted by the Corps of Engineers on projects that interested them. The Corps and the association maintained their close relationship not only through hearings but also in the annual conventions held by the association. The Chief of Engineers made it a priority to send to each convention an outline of the progress on river and harbor projects pertaining to the

²² Mass, *Muddy Waters*, 41-44.

Atlantic Coast. The association also adopted a formal resolution at a convention in 1941 that maintained because the Corps of Engineers did such competent work, they alone should continue the improvements on the Atlantic Coast Waterway. Maass also explored the close relationship between the Atlantic Deep Waterway Association and the United States Congress. Members of the association appeared at most Congressional hearings related to intercostal waterways. Many of the members who testified at congressional hearings held the rank of former members of Congress themselves.

The National Rivers and Harbors Congress composed the largest national interest group that the Army Corps of Engineers dealt with on a regular basis.²³ Organized in 1901, the association incorporated state and local officials, local trade and industrial organizations, contractors; the United States Congress, representatives and senators acted as honorary members; and the Corps itself as members with the objective of “...securing coordinated and unified action by all the interests concerned with the various phases of water development.”²⁴ Like the Atlantic Deep Waterways Association, the National Rivers and Harbors Congress also enjoyed a close relationship with Congress. For example, the President in 1949 was Senator John McClellan of Arkansas, a member of the Public Works Committee and of the subcommittee of the Committee on Appropriations, which handled Corps of Engineers appropriations. Two members of the Appropriations subcommittee, which decided upon funds for the agency, and the chairman of the House Committee on Flood Control, also important in the project authorization process, compromised the national vice presidents of the organization. The National Rivers and Harbors Congress also delegated a special Projects Committee that

²³ Mass, *Muddy Waters*, 45-51.

²⁴ Mass, *Muddy Waters*, 45.

reviewed project applications of endorsement submitted to the committee. Congressional representatives and senators often appeared before the committee in order to receive a favorable endorsement for the waterway improvement in their districts. The committee then presented its formal recommendations to the Rivers Congress for formal adaptation. Once endorsed by the Rivers Congress, individual projects had a better chance of approval when submitted to the United States Congress because of the close relationship between the two groups. Maass referred to the Rivers and Harbors Congress as one of the most effective lobbies in Washington due in large part to the emphasis placed on an endorsement of a water improvement project. These groups greased the democratic wheels and assisted in the passing of projects from which they most directly would benefit.

Maass argued that such pressure groups highly influenced the Corps of Engineers and the agency transferred responsibility when they came to conclusions that would anger interest groups. He referred to this as “a shirking of responsibility.” Maass gave their actions regarding the request of the Chief of Engineers review on the entire project for flood control of the Mississippi River in 1940 as an example. Assigned the report by the Chief of Engineers, the Mississippi River Commission identified one section of the project that needed alteration due to changes in a specific river channel. The commission identified and analyzed four alternatives to the project, all of which would alienate some local interest group, but made no recommendations. Instead, the commission argued that the issues were not of engineering concern and Congress should make the final decision. Maass argued that the engineers preferred this process to making any recommendations that might cause the ire of a local group. He argued that they avoided a decision despite

knowing the best plan: “the Corps of Engineers was unwilling to inform Congress of that plan of improvement which would result in the most economic and beneficial development of the nation’s greatest waterways.”²⁵

Direct responsibility to representatives of Congress and lobbying by waterway association groups resulted in a lack of coordination with other water resources agencies. The lack of a systematic and rational system played out in the Basin of the Central Valley in California.²⁶ In February 1940 both the Bureau of Reclamation and the Corps of Engineers submitted two different survey reports to Congress recommending the construction of a multipurpose dam and reservoir on the Kings River in the Central Valley Basin. Their recommendations came into sharp conflict related to questions of policy and created several problems.

First, Maass argued that the plan submitted by the Bureau of Reclamation placed the Kings River project within a larger comprehensive plan for the development of the entire Central Valley with an emphasis on irrigation. The Corps plan showed little interest in a basin-wide plan and considered the project from the view of local flood control. One agency planned to build a dam for the purpose of flood control while the other planned a structure primarily for irrigation. Both purposes brought with them different laws. Flood control law and irrigation law meant different matters of repayment, distribution of benefits and project operations. For instance if the Bureau of Reclamation constructed a dam on the Kings River primarily for the benefit of irrigation, reclamation law subjected the beneficiaries to restrictions on the amount of acres an individual could irrigate with water from a single project. Reclamation law also required water users to

²⁵ Maass, *Muddy Waters*, 51.

²⁶ Maass, *Muddy Waters*, 208-258.

repay the entire cost of money allocated for projects. The Corps of Engineers, on the other hand, had no restrictions on the amount of water an individual could use since the agency built the dam primarily for flood control and any irrigation benefits remained secondary. The engineers also did not require water users to pay back money for a project, but instead usually required a sum of money upfront. Both plans also differed in terms of project operations. The Bureau of Reclamation recommended that the federal government operate the Kings River dam while the Corps would turn the day-to-day operations over to local interests.

The lack of coordination resulted in an eruption of controversy when Washington published both reports. The different projects played out in fights over federal domination versus local water rights and federal expenses versus repayments. Ickes, the Secretary of the Interior at the time, worried that concerned interest groups would lobby Congress to pick the Corps of Engineer's plan because of the lack of restrictions and repayment attached to flood control law. The National Rivers and Harbors Congress aggressively supported the Corps. Ickes urged the Corps of Engineers to coordinate with the Bureau of Reclamation but the agency continued to thrust its own proposals on Congress and made no effort to reach a compromise with the other agency. The Corps also insisted that local interests should determine which plan Congress should enact. Ickes, however, worried that local interests might chose a plan not in the public interest and asked President Franklin Roosevelt to intervene on the matter.

Roosevelt reviewed the matter in an effort to stop the agencies squabbling and concluded that the project was primarily irrigation and should be handled by the Bureau of Reclamation and urged the two agencies to coordinate on the plan for the King's River

Basin. At various times throughout the history of the Corps, the chief executive attempted to wrangle the agency back into what Maass described as proper bureaucratic behavior. As early as 1907, President Theodore Roosevelt tried to impose a national water resource policy to avoid conflict between the Corps of Engineers and the Bureau of Reclamation.²⁷ His Inland Waterways Commission recommended setting up a water resources authority to plan and coordinate the different federal agencies who dealt with water resources. Their recommendations failed to get out of committee in Congress. In 1932 President Herbert Hoover tried again to reorganize the federal agencies that dealt with water resource management but once again when it reached the House Committee on Expenditures it was defeated. Despite the efforts of the chief executive, the Corps of Engineers remained in a pattern of direct relationship with Congress. Once again the Corps of Engineers thwarted the executive branch in the Kings River controversy. Despite Roosevelt's strong suggestion that the two agencies work together, the Corps of Engineers continued to favorably recommend to Congress constructing the dam under flood control law. Congress and the Corps continued to ignore the President and in 1941 the House Flood Control Committee included authorization for the Kings River Project constructed by the Corps of Engineers.

The Kings River conflict continued throughout the next seven years. Maass concluded that the seven years that elapsed between the agencies first reports and actual construction was due in large part to inter-agency fighting. The struggle for the river resulted in considerably higher costs to the federal government and the America taxpayer. Duplication in agency staffs and efforts cost the taxpayer, and also encouraged competition for local interest support. Agencies tried to garner such support by offering

²⁷ Maass, *Muddy Waters*, 65-68.

more attractive repayment plans of project costs. When agencies reduced repayment plans for locals, they shifted the financial burden away from the direct beneficiaries to the federal taxpayers.

Maass argued that the Kings River debacle constituted one of many conflicts between the Bureau of Reclamation and the Corps of Engineers. The actions of the Corps of Engineers prevented a coordinated and sound water resource plan in the Central Valley Basin. According to Maass, the conflicts between the two agencies would never end because their basic water use philosophies existed in stark contrast. The best way to eliminate such competition was a single agency that guided a coordinated and rationalized water policy.

Maass' largest critique of the operations of the Corps of Engineers remained that they did not fall into a pattern of direct responsibility to the chief of the executive branch, the President, and the indirect responsibility of the legislature. Rather, the agency reported directly to Congress and more specifically individual member of Congress. This produced plans in the interest of local beneficiaries and not the nation. The Corps of Engineers also made no effort to coordinate with the other federal agencies that existed as a counter balance.

Ickes and Maass espoused a certain philosophy about the way that government and administration should function, one that presented more centralized authority within the executive branch of the government. To them, the Army Corps of Engineers, a federal agency within the executive branch that could not be held accountable to the President exemplified a misstep in American democracy. They aimed to change the pattern of

administrative responsibility through a consolidation of water resources and the creation of a sound national water program within the executive branch.

A second group of critics of the Corps of Engineers came from members of the Hoover Commission, a group responsible for the reorganization of departments, agencies, and administration within the executive branch of the federal bureaucracy. At the turn of the twentieth century, the President and Congress began to reassess the organization, design, and management of the executive branch.²⁸ Beginning in the Progressive era, presidents began to ask Congress for the authorization to make changes to the executive branch. The President and Congress embarked on executive reorganization in the aftermath of World War I and the Great Depression in order to assess changes made and measures taken during these times of crisis. Like these previous reorganization efforts, Congress launched the widest and most comprehensive effort at reorganization after the close of World War II.²⁹

The Lodge-Brown bill introduced by Henry Cabot Lodge in the Senate and Clarence Brown in the House passed unanimously in both houses because of its emphasis on reorganizing the government in order to make it more economically efficient. The Lodge-Brown Bill organized the Commission on the Organization of the Executive Branch, or the Hoover Commission, and endowed it the responsibility to study the federal government and recommend policies to promote economy, efficiency, and improved service of federal departments, bureaus, agencies, boards, commission, offices and other

²⁸ Peri Arnold, *Making the Managerial Presidency: Comprehensive Reorganization Planning, 1905-1996* (Lawrence, KS: University Of Kansas Press, 1986), 118-160.

²⁹ Arnold, *Making the Managerial Presidency*, 118-160.

instruments of the executive branch of the government.³⁰ The bill also mandated that the commission maintained bipartisan status: the twelve members of the Commission would be evenly divided in party affiliation.³¹ The appointment of former president Herbert Hoover as chairman of the reorganization commission, however, had symbolic meaning for the new commission and the Republicans in Congress. From the Republican perspective, the commission's job existed to gradually erode at what they perceived as an expansive and expensive democratic government. Hoover, the last Republican president and continuous critic of the New Deal, exemplified their ideological objective: "To Hoover, the New Deal's social-welfare policies and its forays into public power and resource development were an anathema."³²

Hoover and the other eleven commissioners decided the government's functions should be studied through specialist task forces in order to: identify the parts of government by function, determine the most important of those functions, and organize experienced people to study those functions.³³ The Hoover Commission created thirty-four study teams working on twenty-three organizational areas among them the National Resources Committee who formed the Task Force on Natural Resources.

Commissioner James Rowe Jr outlined the objectives of the committee in the agenda of a committee meeting in 1948:

The point of beginning in the discharge of the responsibility delegated by the Commission to the Natural Resource's Committee must be a careful reappraisal of the Federal policies and functions in this field. This has been clearly prescribed

³⁰ *Filing of Report by Commission on Organization of The Executive Branch of The Government* January 13, 1949 81st Cong, 2.

³¹ Arnold, *Making the Managerial Presidency*, 121.

³² Arnold, *Making the Managerial Presidency*, 129.

³³ Arnold, *Making the Managerial Presidency*, 124.

by Congress in an act creating the Commission and fixing its responsibilities to be that of limiting expenditures to the lowest amount consistent with the efficient performance of the essential services, activities, and functions: abolishing functions not necessary to the efficient conduct of government; and defining and limiting executive functions, services, and activities.³⁴

The Hoover Commission trusted the study group with a careful reappraisal of federal functions and policies in the fields of public domain, mineral resources, water resources, and navigation.

The Natural Resources Committee was critical of the Army Corps of Engineers. They formally presented their findings in January 1949 in *Organization and Policy in the Field of Natural Resources: A Report with Recommendations* prepared for the Commission on the Organization of the Executive Branch.³⁵ The report began by stating that the natural resources that the federal government managed played a crucial role in the future of the nation and therefore federal policies must be scrutinized in order to suggest changes to make these practices more effective. The report cited general problems of natural resources in the nation: depleting petroleum and minerals, a drain on timber caused by cutting, fires, disease, and insects, and damage to grazing resources due to overuse, erosion, and a lack of protection. The report also outlined unsound river development projects caused by conflicting laws and rivalries within federal agencies. This last theme pervaded the task force's report and created the arena where criticism against the Corps of Engineers played out.

³⁴ Agenda Committee Meeting. Commission on the Organization of the Executive Branch Natural Resources Project. March 18, 1948 (Washington DC: Government Printing Office).

³⁵ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, January 1949 (Washington DC: Government Printing Office).

The Hoover Commission charged the task force with making recommendations relevant to their goals of executive reorganization. A memorandum from 1948 by the task force exemplified a desire to create a new department in which to place the jurisdiction of all federal activities dealing with natural resources.³⁶ The tentatively-titled Department of Agriculture and Natural Resources called for a Secretary with a coordinating and planning staff as well as a financial staff and various undersecretaries to head bureaus dealing with cultivated lands, range lands, forest lands, wildlife resources, recreational resources, minerals, and water. The committee formally proposed the consolidation of agencies and organizations that dealt with natural resources into a Department of Natural Resources this in their 1949 report.

The task force called for the creation of the Water Development Service within this new department.³⁷ In perhaps one of the most controversial recommendations of the entire report, the water development service would strip the Army Corps of Engineers of their civil functions as they related to flood control, rivers and harbors improvements, and navigation and transfer their duties to the new civil organization. Leslie Miller, the head of the task force and former governor of Wyoming, explained to Herbert Hoover, “We did feel, however, that there must be an overall policy guiding agency in order to give weight to the nation-wide consideration.”³⁸

The task force gave many reasons for alleviating the Corps of Engineers of their civil functions. The task force, like Maass and Ickes, wanted a coordinated federal water system and believed that under the current conditions, the Corps of Engineers prevented

³⁶ “Tentative Suggestions for Activities of a Department of Agriculture and Natural Resources,” April 29, 1948.

³⁷ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 8.

³⁸ Letter, Leslie Miller to Herbert Hoover, September 29, 1948.

such a plan. On page one of the Task Force Report, the committee identified the major problem in federal natural resource management as rival federal agencies that duplicated each other's surveys and spent taxpayer money on premature and unsound river development projects.³⁹ The report names more specifically the divided responsibility, duplication and competitive rivalry between the Army Corps of Engineers and the Bureau of Reclamation.

An appendix entitled "Statutory Problems in Water Resources Development" further explained the legislative issues that plagued water resource management.⁴⁰ The appendix blamed the uncoordinated growth of single purpose policy development for the duplication and divided responsibility that existed within various government agencies. The lack of coordination led to different agencies engaging in similar or identical functions. These policies dispersed the responsibility of issues such as irrigation, flood control, hydroelectric power, pollution control, and data research and mapping between the Army Corps of Engineers, the Department of the Interior, the Department of Agriculture, the Federal Power Commission, and federal service agencies such as the U.S. Public Health Service. For instance, the Flood Control Act of 1936 officially recognized the Corps of Engineers as the major flood control agency in the nation. The Soil Conservation Service and Forest Service as well as the Bureau of Reclamation, however, also had responsibilities involving flood control. The task force argued that overlapping jurisdiction became a problem when multiple agencies operated within the same river basin: "Although one's authority is based fundamentally on irrigation, and the other's on flood control and navigation, each is authorized to develop for related purposes, so that

³⁹ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 1.

⁴⁰ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 79-89.

more and more, as the Corps moves upstream and the Bureau downstream, the surveys, plans, and construction and operation activities compete and overlap.”⁴¹

The report elaborated on the conflicting jurisdiction of water resource development in an appendix section titled, “The Kings River Project in the Basin of the Great Valley.”⁴² Like Maass, the task force argued: “Lack of uniformity in legislative consideration of authorization and appropriation for projects recommended by the Corps of Engineers and the Bureau of Reclamation has abetted the conflict between the two agencies.”⁴³ The discussion of jurisdiction over water resource development and the case study of King’s River supported the task force’s recommendation of unified responsibility for federal water development functions. In an appendix titled, “Regrouping of Water Resource Development Functions,” the task force argued that the civil development functions of the Army Corps of Engineers should also be revoked because the agency failed to develop or recommend any national water policy throughout its years working with water resources.⁴⁴

Leslie Miller, the head of the task force, used the knowledge he gained from the Hoover Commission to more publicly and more harshly criticize the Corps of Engineers. Miller also experienced first hand the defective planning of the Bureau of Reclamation while governor of Wyoming.⁴⁵ In 1934 the Bureau of Reclamation initiated the Kendrick Project, which would irrigate 66,000 acres of land near Casper, Wyoming using the North Platte River as a supply source. Miller ardently supported the project, however, he

⁴¹ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 65.

⁴² *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 149-183.

⁴³ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 183.

⁴⁴ *Organization and Policy in the Field of Natural Resources: A Report with Recommendations*, 65-79.

⁴⁵ *Interior Department Appropriation Bill for 1950: Hearings Before the Committee on Appropriations, United States, House of Representatives*, 81 Cong, 1731-1732 (1949).

became disillusioned with the agency when no surplus water was available for irrigation until 1947. He accused the Bureau of Reclamation of unreliable estimating and the agency assured a water supply before starting construction.

In 1949 he published an article in the *Saturday Evening Post* entitled “The Battle that Squanders Billions.”⁴⁶ This battle referred to the “senseless competition” between the Bureau of Reclamation and the Corps. He accused both agencies of participation in a money-spending contest, one that deliberately underestimated costs, concealed the true reasons for projects, engaged in pernicious lobbying, and built dams and canals without sufficient data all at the tax payers expense. One of Miller’s main critiques of both the Corps of Engineers and the Bureau of Reclamation was the pork barrel technique Congress used in order to pass expensive, duplicate, and badly engineered projects. Miller defined the pork barrel as an appropriation of money by Congress as part of a scheme of political patronage. He argued that Representatives and Senators approved water resource projects in other states for other members in Congress in order to procure appropriations in their districts for their constituents. He concluded: “In this era of top-heavy Government, costly foreign aid and staggering national defense bills, it should be the solemn duty of every legislator to place the preservation of the American economy above preservation of political pork.”

Miller portrayed Senator Paul Douglas as a valiant opponent of the Congressional pork barrel and a supporter of the Hoover Commission’s task force on natural resources.⁴⁷ Douglas, a Senator from Illinois, fought the Bureau of Reclamation in the controversy over the Echo Lake Dam in Dinosaur National Monument on the Colorado-

⁴⁶ Leslie Miller “The Battle that Squanders Billions,” *Saturday Evening Post* May 14, 1949

⁴⁷ Leslie Miller, “It All Comes Out of Your Pocket,” *Saturday Evening Post*, January 11, 1958.

Utah boarder.⁴⁸ During Congressional hearings in 1955 he argued for the preservation of wild places for the benefit of the human spirit. Douglas also opposed the techniques Congress used in order to acquire appropriations for water resource projects. Douglas continuously launched attacks on a bottomless congressional barrel of expensive, duplicate and badly engineered water resource projects. Once a Senator asked Douglas to point out “just one piece of fat” in a Rivers and Harbors omnibus appropriations bill.⁴⁹ Douglas went to his atlas and searched for the Josias River in Maine, which was to receive \$33,000 for improvements. Douglas could not find the Josias River on the map. On the floor of the Senate Chambers Douglas concluded that taxpayer money was going to a tiny river in order to appease the motorboats and sailboats of summer residents. Miller argued that after Douglas’ claim, “pork-barrel stalwarts” ran to the Senate floor in order to support the Josias River and it eventually got its money. The Josias River exemplified pork barrel techniques at its best: government spending for localized projects to bring money to a Representatives specific district. Douglas also pointed out logrolling techniques in his example, the you scratch my back, I’ll scratch your technique, in which representatives swapped votes in exchange for support in local desired water projects. Congress was willing to authorize duplicate and badly engineered projects in order to reap the political benefits of water resource projects.

Miller told the story of the Missouri Basin, where he referred to as the most shameful example of bad planning and wasteful competition. The Corps of Engineers adopted what they called the Pick Plan for the basin while the Bureau of Reclamation produced the Sloan Plan. Although plans for the same river basin, they contradicted one

⁴⁸ Roderick Nash, *Wilderness and the American Mind* (New Haven, CT: Yale University Press, 1967) 200-226.

⁴⁹ Leslie Miller, “It All Comes Out of Your Pocket,” *Saturday Evening Post*, January 11, 1958, 67-68.

another on several levels. The agencies balked at the opposing plans until in 1944 President Roosevelt recommended the creation of the Missouri Valley Authority, similar to the Tennessee Valley Authority. The threat that would relieve either agency of their duties in one of the largest and most important river basins in the country drove the Corps and the Bureau into each other's arms. James G Patton, president of the National Farmers Union called this "a shameless, loveless, shotgun wedding."

Harvard geographer Edward Ackerman studied the new and jointly named Pick-Sloan Plan for the task force on natural resources.⁵⁰ He showed that despite what Miller called a phony attempt at coordination, the plan still contained policy and engineering conflicts that would undoubtedly come up in the future and cost millions in wasted time and money. Ackerman argued that during dry periods, there would not even be enough water for the proposed nine-foot channel of the Corps of Engineers. He concluded that neither agency had considered all aspects of society and the economy in the valley program which led to a lack of systematic planning. He recommended: "Another more unified organization with less centralized agency responsibility and more regional responsibility might presumably adhere more closely to the spirit of democracy in some respects and probably would operate more efficiently."⁵¹

Examples of the lack of coordination found in the Pick-Sloan plan prompted the task force to recommend a review board located in the White House. The review board should remain removed from pressure groups in order to formulate decisions based on a national water resource policy to enact project beneficial for the greater good.

⁵⁰ Benton Strong "Confusion on the River Front," in *Antioch Review*, Vol. 9, No 4, Winter 1959, 453-466.

⁵¹ Strong "Confusion on the River Front," 457.

Like Maass and Ickes, the task force on natural resources desired a coordinated and rational system of water resource development. The Corps of Engineers prevented such coordination when the agency tussled with the Bureau of Reclamation and designed projects for specific beneficiaries. The task force recommended the transfer of the rivers, harbors, and flood control responsibilities of the Corps of Engineers in order to coordinate functions within the Department of the Interior. There the Secretary of the Interior would subject projects to more executive oversight. The review board could also ensure that the agency designed projects with a comprehensive and rational system of water resource management.

While criticisms launched against water resource policy management came from the academic realm and the political spectrum, there was also a public discussion. The public debate materialized most clearly through the Citizens Committee for the Hoover Report. As its name suggested, the committee united civic-minded citizens who supported the reorganization of the government. In a letter to the American Political Science Association, the Citizens Committee outlined their overall purpose: to explain the Hoover Report to the public since previous reorganization attempts had failed because of a lack of understanding.⁵² The committee realized their goals through publications and an annual reorganization conference.

The Citizens Committee offered various educational materials and aids to help the average American understand the importance of the efforts made by the Hoover Commission. The publications office in New York made copies of literature available to citizens such as the texts of the commission's task force reports as well as relevant

⁵² "An Open Letter to Members and Guests at the American Political Science Association Conference" December 29, 1949. Citizens Committee for reorganization of the executive branch of the government.

articles, periodicals, pamphlets and handbooks.⁵³ The group also offered up to 50 free copies of these items to schools for use in classrooms and discussion groups and a discount of ten-percent on orders of 10,000 items or more. The Citizens Committee also published status reports of the Hoover Report.⁵⁴ These publications translated the proposed changes by the various task forces into layman's terms and often included a recommendation-by-recommendation analysis. These reports also included "box scores" letting citizens know which recommendations passed, which failed to pass, and those that remained partially accomplished to date.⁵⁵ The committee also published a monthly newsletter entitled *Reorganization News*, a digest of news and comments on the progress of the Hoover Commission Report. The newsletter frequently applauded the measures offered by the Hoover Commission that Congress passed and thanked the citizens engaged in the process.

The *Reorganization News* also reserved space in print to target the recommendations of the Hoover Report that Congress had not yet enacted. The proper organization on natural resources appeared time and time again on the list of targets of the commission.⁵⁶ The Citizens Committee argued that conservation of the nation's natural resources could not be maintained until the ruinous competition of the Army Corps of Engineers and the Bureau of Reclamation ceased. A 1950 publication of the *Reorganization News* accused the Corps of Engineers and the Bureau of dreaming up 52 billion dollars worth of projects that cost the taxpayer money and squandered precious

⁵³ Educational Materials- Organization and Promotion Aids. Citizens Committee for the Hoover Report. Publications Office New York NY.

⁵⁴ "Status of the Hoover Report 1949-1953" published by Citizens Committee for the Hoover Report New York: New York.

⁵⁵ "The Reorganization Record." Published by the Citizens Committee for the Hoover Report.

⁵⁶ "See it through in '52" *Reorganization News*. Published by the Citizens Committee for the Hoover Report.

natural resources.⁵⁷ Another issue of the newsletter featured a quote by Lewis Hines, a special representative of the American Federation of Labor, who at the National Reorganization Conference praised the recommended transfer of the civil works projects of the Army Corps of Engineers to the Department of the Interior.⁵⁸ Hines continued to say that integrated and sound water development was in the best interest of labor. Stanley Ruttenberg, the Director of Education and Research of the Congress of Industrial Organization agreed with Hines and the importance of the Hoover Commission to labor interests.

A 1949 edition of the *Reorganization News* argued that reorganization and the issues of water development had taken a place in the national spotlight.⁵⁹ It boasted that a typical Washington Post article would praise the Citizens Committee for its bipartisan support of the Hoover Report and made special note of the time and date that the National Broadcasting Company would air Herbert Hoover's speech at the National Reorganization Conference. The Citizens Committee also applauded the annual conference for including representative from all interested parties: agriculture, Congress, business, foreign affairs, government, labor, the press, the states, veterans, women, and the youth. The committee published a special reorganization conference edition of the newsletter to report on the great success of the convention.⁶⁰ The special edition featured a column entitled "Journalist to Farmer - They Want Better Government." The article introduced a newspaperman from Illinois, a housewife from Massachusetts, a student

⁵⁷ *Reorganization News*. Published by Citizens Committee for the Hoover Report, New York. October-November 1950.

⁵⁸ *Reorganization News*. Published by Citizens Committee for the Hoover Report, New York. December 1949

⁵⁹ *Reorganization News*. Published by Citizens Committee for the Hoover Report, New York. December 1949.

⁶⁰ Special Reorganization Conference Edition. December 1949.

from Ohio, and a farmer from Illinois who all passionately pleaded in favor of the Hoover Report. The housewife, Mrs. Wesley, equated the responsibility of the government to the duties of a housewife. In a rhetoric that echoed the Progressive-era, Wesley argued they should both be run on principles of efficiency, economy, and common sense in order to eradicate the waste, confusion, and overlapping that any housewife deplored. Oveta Culp Hobby, a member of the Citizens Committee's Board of Directors and Executive Vice President of the *Houston Post* also emphasized the importance of women in the fight for the Hoover Commission. Like Wesley she emphasized women's traditional role as guardian of the home. This role, however, needed to be expanded to the federal government that needed public housekeeping. Women, charged with the education of their children must also educate others on how to be a responsible citizen: "You must sell the plans to the taxpayers, you must each become an enthusiastic salesman for the proposals contained in the Hoover Report."⁶¹

The Citizens Committee attempted to show the universal support they enjoyed by different civic-minded citizens within the United States. The Citizens Committee through the use of the *Reorganization News* also took on a different strategy to support the Hoover Commission: an application of Cold War rhetoric and appeal to global anxieties. In one issue, dedicated to those certain recommendations that had eluded Congress including questions of natural resources, the committee argued: "The idea behind the Hoover Commission must have been incomprehensible to the Russians. Only free men could conceive of an unsparing probe of their own government- and publish the results.

⁶¹ Special Reorganization Conference Edition. December 1949.

In the land of barbed wire and firing squads no such nonsense would be tolerated.”⁶² The report argued that Soviet strategists hoped for “victory by bankruptcy” and the only way to avoid this was through the sound economic management that the Hoover Commission offered.

The Citizens Committee’s strategy to gain support for the Hoover Reports involved publicity and education. Members also participated in congressional hearings in order to make their charges heard. During hearings held by a special subcommittee on Water Resources and Power in 1955 within the House, Arthur Kemp, a representative of the Southern California Citizens Committee for the Hoover Report testified.⁶³ The purpose of the subcommittee was to review the Hoover Commission Report on natural resources. Kemp, a professor of money and credit at Claremont’s Men’s College, outlined various undesirable projects submitted and accomplished by the Corps of Engineers and the Bureau of Reclamation. He argued that if Congress passed the Hoover Commission’s recommendation of the creation of a water resources board to oversee all projects, then these undesirable and wasteful projects would not be built. He showed his frustration with the lack of coordinated planning in water resource management and defended the Hoover Reports.

Many people had different reasons for supporting the transfer of the civil functions of the Army Corps of Engineers to the Department of the Interior. For Maass and Ickes, the actions of the engineers violated the proper democratic behavior of a federal agency. The Hoover Commission stressed the economic waste the Corps brought

⁶² *Reorganization News*. Published by Citizens Committee for the Hoover Report, New York. August-September 1950.

⁶³ *Commission on Organization of the Executive Branch of the Government (Water Resources and Power Report)*. Part 14: Los Angeles, Calif. Dec. 7-8, 1955 Statement of Arthur Kemp Southern California Citizen’s Committee for the Hoover Report. 2888-2899.

upon the nation. Private citizens who composed the Citizens Committee for the Hoover Report emphasized the burden placed on the average American citizen and operated under the banner “waste not, want not.”

Although these groups criticized the Corps of Engineers for different reasons, they formed an unofficial coalition in order to accomplish their goals. There existed an explicit connection between the Hoover Commission and the Citizens Committee.⁶⁴ Hoover, apt at public relations, created the grass-roots organization that pushed for the application of recommendations by the reorganization effort. Hoover stacked the leaders of the Citizens Committee with loyal friends from his days at the Department of Commerce and his work in European relief. The Citizens Committee used the Hoover reports and the man himself to create a crusade around the reorganization plans under the idea of improving the nation, the economy, and the world. Hoover in turn used the Citizens Committee to influence the public in a way he and others close to the commission could not. When a senator accused Hoover of attempting to grab power through the reorganization effort, Hoover merely reminded him that the Citizens Committee found nothing wrong with the recommendations and fully supported them.

The Citizens Committee for the Hoover Report also worked closely with Arthur Maass. In 1949 Maass, along with Robert de Roos, published an article entitled, “The Lobby that Can’t Be Licked: Congress and the Army Engineers.”⁶⁵ The article read like a pithier version of his dissertation turned book, *Muddy Waters*, and maintained the same condemnation of the actions of the Corps of Engineers. The article argued that only effective reorganization plans such as those recommended by the Hoover Commission

⁶⁴ Arnold, *Making the Managerial Presidency*, 155-157.

⁶⁵ Robert de Roos and Arthur A. Maass, “The Lobby that Can’t Be Licked: Congress and the Army Engineers” *Harper’s Magazine* August 1949. Reprinted by Citizen Committee for the Hoover Report.

would save American taxpayers money and America's rivers. Although originally printed in *Harper's Magazine*, the Citizens Committee for the Hoover Report reprinted the article for distribution to members and other civic-minded citizens.

Maass also frequently corresponded with members of the Citizens Committee especially research director Robert McCormick. In a letter from McCormick to Maass in 1951, McCormick requested 1200 words on the competition between the Corps of Engineers and the Bureau of Reclamation.⁶⁶ He also informed Maass that the Citizens Committee worked closely with the Harvard Press on the publicity for his book *Muddy Waters*. In another letter, McCormick sent Maass a copy of a message written by L.T. Gaylord, President of Atlantic, Gulf & Pacific Co., an engineering and contractors group.⁶⁷ In the letter, Gaylord defended the Corps of Engineers against Miller's *Saturday Evening Post* article and a pamphlet he received from the Citizens Committee that stated why the civil functions of the Corps should be transferred. He argued such a transfer would be detrimental to local communities, the states and the nation. McCormick forwarded this letter to Maass and warned that this would be a typical response by the Corps proponents.⁶⁸ He asked that Maass prepare a memorandum to Gaylord that could be used as a general reply to those with dissenting opinions. Maass, working in California at the time, sent a three-page letter back to McCormick with notes and strategy about how to deal with the champions of the Corps of Engineers.⁶⁹

Maass and the Citizens Committee engaged in various other correspondences in order to discuss a strategy to pass the Hoover Commission's recommendations on natural

⁶⁶ Letters, McCormick to Maass, July 20, 1951, Citizens Committee for the Hoover Report, Correspondence- Maass, Maass-White Papers.

⁶⁷ Letters, L.T. Gaylord to Robert Hamill, July 3, 1951. Correspondence- Maass, Maass-White Papers.

⁶⁸ Letters, McCormick to Maass July 13, 1951. Correspondence- Maass, Maass-White Papers.

⁶⁹ Letter, Maass to McCormick August 2, 1951. Correspondence- Maass, Maass-White Papers.

recourses. A letter from Irving Fox explained to Maass that because of his position within the Department of the Interior he could not take an active part in securing the changes in Government organization but offered up some advice.⁷⁰ Fox congratulated the campaign against the Corps of Engineers that had materialized through the Commission's report, and other media publications but contended it must be carried forward at a more intense pace. Achieving reorganization depended, he argued: "upon building up an informed public and thereby creating an atmosphere in which it will be politically unwise for the Representatives and Senators in Congress to vote against a reorganization plan providing for a consolidations of the Corps and the Bureau."⁷¹ He suggested that established organizations such as the Wilderness Society or the Isaac Walton League could help in their effort to garner support. Fox assured Maass that this opportunity was the closest they have been yet as "beating" the Corps of Engineers.

Another letter from the Department of the Interior encouraged Maass to continue the fight against the Corps of Engineers.⁷² Maynard Hufschmidt wrote Maass, excited about two developments in Washington in regard to the agency. He attached a copy of the House Appropriations Subcommittee on Deficiencies and Army Civil Functions, which revealed the wide variation between preliminary costs presented in survey reports and final project costs of Corps projects. He also announced a new series of hearings that the House Committee on Expenditures would hold in the Hoover Commission proposal for combining the Corps and the Bureau of Reclamation. Maass played a pivotal role in this effort according to Hufschmidt and he urged that Maass get in touch with McCormick immediately.

⁷⁰ Letters, Irving Fox to Maass September 14, 1949. Correspondence- Maass, Maass-White Papers.

⁷¹ Letters, Irving Fox to Maass September 14, 1949. Correspondence- Maass, Maass-White Papers.

⁷² Letters Maynard Hufschmidt to Mass August 23, 1951. Correspondence- Maass, Maass-White Papers.

In a letter from Maass to Leslie Miller, Maass mentioned the subcommittee to which Hufschmidt referred.⁷³ He praised the subcommittee headed by John Kerr, stating that it “...stirred up considerable criticism of the Corps of Engineers in its two reports, products of its special hearings on an investigation of the conduct of civil works by the Army.”⁷⁴ The report concluded that rivers and harbors and flood control projects of the Corps of Engineers increased excessively in 1951.⁷⁵ Of this total cost increase, the report attributed 30.6 percent to insufficient engineering planning and estimates and recommended more adequate engineering and fiscal controls.

Maass, the first Hoover Commission, and the Citizens Committee formed a powerful coalition who wanted to divest the Corps of Engineers of their civil works functions. The coalition argued that the best way to coordinate and rationalize water resource management in the United States, remained to take away the responsibilities from the Corps of Engineers who constructed projects with little regard for their impact on the larger system of natural resources, with the support of members of Congress who hoped to secure large appropriation for their districts. The coalition also hoped that once the civil functions of the Corps transferred to the Department of the Interior, the water resource project would be subjected to more scrutiny by the executive branch.

⁷³ Letters, Arthur Mass to Leslie Miller, January 30, 1952, Correspondence- Maass, Maass-White Papers.

⁷⁴ Letters, Arthur Mass to Leslie Miller, January 30, 1952, Correspondence- Maass, Maass-White Papers.

⁷⁵ Subcommittee on Deficiencies and Army Civil Functions; Committee on Appropriations. *Investigation of Corps of Engineers Civil Works Program, House of Representatives*, 82 Cong, August 16, 1951.

CHAPTER 2: POST MORTEM ON THE HOOVER REPORT

Arthur Maass, the Hoover Commission and the Citizens Committee for the Hoover Report formed a powerful coalition in the 1940s and 50s. One of their main targets was the Army Corps of Engineers, with a specific goal to divest their civil functions, which included rivers and harbors improvements and flood control. The reorganization attempts during this period enjoyed much presidential and Congressional support and resulted in the most widespread and comprehensive reforms in decades. The coalition, however, remained unsuccessful in their efforts to rearrange water resources and form a coherent national policy. The effort met with internal problems of the Hoover Commission and the task forces as well as opposition from Senators, involved interests, and the Corps of Engineers itself.

At a meeting of the New England Political Science Association, Maass and other political scientists evaluated the Hoover Commission.⁷⁶ Maass pointed to internal problems and errors that plagued the Hoover Commission, specifically problems with the task forces. In establishing the different task forces to study individual areas of the government, the Hoover Commission failed to clearly define the areas of government activities that each group was supposed to investigate. Hoover also offered no useful framework or reference guides for the task forces. The failure to provide instructions

⁷⁶ “Abstract of Remarks made by Arthur Maass” The New England Political Science Association, First annual meeting, May 14, 1949. Amherst, Massachusetts.

resulted in overlapping jurisdictions of certain task force reports, specifically in the area of natural resources.

The reports of the three main task forces that dealt with natural resources covered much of the same areas and resulted in conflicting recommendations. The Task Force on Natural Resources consisted largely of representatives from the West, more partial to the Department of the Interior, who wished to see natural resources consolidated within that bureau. The Task Force on Agriculture, on the other hand, contained many deans of state agriculture colleges who recommended a bigger Department of Agriculture. Finally, the Task Force on Public Works made recommendations that placed federal projects within a massive department of whole works. The Task Force on Natural Resources recommended the transfer of the civil works responsibilities of the Corps of Engineers to a bolstered version of the Department of the Interior called the Department of Natural Resources. The Task Force on Public Works, however, advocated placing these functions, along with most agencies of the Department of the Interior, in a new Department of Works and Conservation.

Horace Albright, the former director of the National Park Service and member of the Committee on Natural Resources realized the problem of overlapping jurisdiction between the task force on public works and that of natural resources.⁷⁷ In a letter to Robert Moses, the head of the Task Force on Public Works, he asked that his task force avoid the recommendation that placed agencies responsible for the management of natural resources in a public works department. The Task Force on Public Works proposed a merger of the water resources activities of the Corps of Engineers, the Bureau

⁷⁷ Letters, Horace Albright to Robert Moses, November 12, 1948, National Archives and Records Administration College Park, MD. Records of Task Forces.

of Reclamation with the highway and airport construction activities of the Public Roads Administration, the community facilities activities of the Federal Works Agency and the building activities of the Federal Works Agency as well as the Bureau of Mines and the Geological Survey into a department of Works and Conservation. Albright argued that a marriage of natural resources and public works would not be in the interest of sound natural resource management if the department's primary concern remained public works.

Albright enjoyed a fifty-year career in the National Park Service and his biographer, Donald Swain, dubbed him a "wilderness defender."⁷⁸ Albright categorized the water resource responsibilities of the Bureau of Reclamation and the Corps of Engineers as part of sound natural resource management. He believed that if the Hoover Commission recommended the combination of public works and natural resources within a single agency the primary concern would be public works projects. Conservation and the wise use of water resources would receive minor consideration and departmental support. He could not imagine moving the task of preservation and protection of the nation's natural resources to a department primarily concerned with public works. Albright also maintained that his task force agreed upon a board of impartial analysis placed in the executive office of the president to review projects without political influence. The Task Force on Public Works, however, suggested a board of review to reside within the department and report to the secretary. Albright asked Moses to consider recommending the board of review within the executive branch in order to coordinate their reports.

⁷⁸ Donald Swain, *Wilderness Defender: Horace M. Albright and Conservation* (Chicago, IL: Chicago University Press, 1970).

Moses rejected any attempts at coordinating the two task force reports.⁷⁹ His opposition to the recommendations of the task force on natural resources stemmed from a different idea of the interaction between public works and natural resources.⁸⁰ Moses also exemplified the powerful personalities embedded within the different task forces of the Hoover Commission. Throughout his life, Moses enjoyed the epithet of “the man who gets things done.” His supporters used the phrase affectionately to describe the urban planner who shaped New York City and its suburbs through public works projects throughout the twentieth century. Involved in improvements to schools, hospitals, garbage facilities, sewers, transportation, and the natural aesthetics of the city, Moses’ legacy remained one of modernizing the city’s infrastructure. Never elected to public office, Moses worked closely with the Mayor of New York City, his councils, city departments, public agencies, and the State Department of Public Works to effectively manage large-scale projects such as the Triborough Bridge and Tunnel Authority. Moses’ critics, however, used the epithet derisively to describe a man consumed by hunger for power who constructed projects by bullying, violating laws, and scheming.⁸¹ Despite his reputation as one of the most polarizing figures in the history of public planning, throughout his career Moses closely combined public works and nature. According to one biographer:

By mixing flowering shrubs, trees, and grass with stone and concrete to create ribbon parks...He fought to preserve the natural beauty of Long Island, the

⁷⁹ Letters, Robert Moses to Horace Albright, November 18, 1948, National Archives and Records Administration College Park, MD. Records of Task Forces.

⁸⁰ On Robert Moses see: Herbert Kaufman, “Robert Moses: Charismatic Bureaucrat,” *Political Science Quarterly*, Autumn 1975, 521-538; Cleveland Rogers, *Robert Moses: Builder For Democracy* (New York, NY: Henry Holt and Company, 1952); *Robert Moses and the Modern City: The Transformation of New York* ed Hilary Ballon and Kenneth T. Jackson (New York, NY: W. W Norton & Co, 2007).

⁸¹ For criticism of Moses see Robert A Caro, *The Power Broker: Robert Moses and the Fall of New York* (New York, NY: Vintage, 1974).

Adirondacks, the Palisades, and the Jamaica Bay area of New York, while demolishing miles of slums and mountains of debris to pave the way for decent housing, a World's Fair, parks, and parkways.⁸²

His task force report reflected the ideology that joined natural resources and public works. He argued in favor of the merger of natural resource and public works agencies within a new Department of Works and Conservation. He also told Albright that placing a review board directly in the White House went against the spirit of the Hoover Commission and that not he, nor his task force supported it. Moses lamented: "I think it would be most unfortunate if existing differences were magnified to such an extent that reconciliation of the views of our two Task Forces became impossible, because none of us would gain by a stalemate."⁸³

Maass argued that the Commission realized too late the magnitude of the problem of conflicting recommendations: "Last minute efforts were made to obtain some reconciliation by the forces before the reports were signed and delivered. These efforts were fruitless."⁸⁴ The failure to coordinate the task forces involving natural resources resulted in a lack of coherent organizational recommendations and impaired the effectiveness of the Hoover Report. The Hoover Commission sent Congress separate suggestions: a majority report, a minority report, a task force report, and an investigator's report as well as dissenting reports.⁸⁵ Not only did it offer alternative proposals to those

⁸² Rodgers, *Robert Moses*, preface xxii.

⁸³ Letters, Robert Moses to Horace Albright, November 18, 1948, National Archives and Records Administration College Park, MD. Records of Task Forces.

⁸⁴ "Abstract of Remarks made by Arthur Maass" The New England Political Science Association, First annual meeting, May 14, 1949. Amherst, Massachusetts.

⁸⁵ Benton Strong "Confusion on the River Front," in *Antioch Review*, Vol. 9, No 4, Winter 1959, 453-466.

who opposed the transfer of the civil functions of the Corps of Engineers, it presented the Hoover Commission on a divided front.

The overlapping task forces also ignored some critical problems in administrative organization. As a result, the task forces disregarded questions of responsible administrative power in favor of reorganizing bureaus. During the meeting of the New England Political Science Association, Stephen Bailey, professor of government at Wesleyan University argued:⁸⁶

There is no possible way of reshuffling bureaus and agencies according to an unambiguous functional pattern. In these terms, the question of whether the Forest Service is in one department or another is of secondary importance. What does count is whether the Forest Service is an effective part of a reasonably integrated political program. What is wrong with the Army Corps of Engineers is not that it is in the National Military Establishment, but that it conceives of itself as a creature of a Congressional and pressure group coalition and consequently as totally independent of Presidential policy.

Overall, the commission failed to make recommendations that would develop greater cohesion between the Congress and the president, which would lead to a more efficient democratic government.

Despite the criticisms of the Hoover Commission from the political science arena, the New England Political Science Association concluded that the Hoover Commission made significant contributions to the literature of political science and suggested important administrative reforms. Maass argued that the Commission enjoyed liberal

⁸⁶ Stephen K. Bailey "Post Mortem on The Hoover Commission" The New England Political Science Association, First annual meeting, May 14, 1949. Amherst, Massachusetts

funds, authority to command support from the executive branch, a sympathetic Congress, good press, and excellent cooperation from academic and professional groups. Aside from its internal shortcomings, the Hoover Commission exemplified the best chance to date to reorganize the federal government. The Hoover Commission, however, also encountered legal problems and faced zealous external opposition.

In 1948, the Reorganization Act of 1945, which gave the President of the United States the legislative authority to reassess the organization of government machinery, expired. Truman's victory in the 1948 presidential election, along with the victory of a Democratic Congress, and the growing support for the Hoover Commission, hinted that Congress would easily grant Truman new legislation to replace the terminated act.⁸⁷ The new reorganization act, however, met with intense debate specifically over the Army Corps of Engineers. The debate led to certain changes in the bill that would make the aims of the Hoover Commission coalition more difficult.

On January 17, 1949 Senator John McClellan and Representative William Dawson introduced S. 526 and H.R. 1569 to their respective houses after Hoover and Truman requested reorganization legislation.⁸⁸ The proposed bill gave the president the power to reexamine the agencies of the government to reduce expenditures and promote economy, increase efficiency, and eliminate overlap.⁸⁹ The bill contained in it a major change from the 1945 Reorganization Act regarding the Corps of Engineers. In section five of the earlier act, limitations on powers with respect to reorganization, the bill stated: "No reorganization plan shall provide for the reorganization affecting any civil function

⁸⁷ Arnold, *Making The Managerial Presidency*, 165-166.

⁸⁸ William Pemberton, *Bureaucratic Politics: Executive Reorganization During The Truman Administration*, (Columbia, MO: The University of Missouri Press), 97-124.

⁸⁹ S. 526 Committee Print, The Senate of the United States, 81 Cong, January 25, 1949.

of the Corps of Engineers of the United States Army, or of its head, or affecting such corps of its head with respect to any such civil function.”⁹⁰ In the new bill, the administration deleted this passage along with others that gave exemptions from reorganization to certain federal agencies. The Bureau of the Budget, the agency that wrote the bill, initially included such exemptions in early drafts of the bill in fear that these restrictions would be necessary in order to ensure the president’s reorganization power would be renewed. The growing support for the Hoover Commission, however, caused more optimism within the bureau and many believed that the act could pass without such exemptions.⁹¹

The removal of exemptions had powerful supporters. In January 1949, Hoover presented a report by the Commission on the Organization of the Executive Branch of the Government to the House of Representatives committee that would review the bill, the Committee on Expenditures in the Executive Branch.⁹² The report supported the new bill’s deletion of exemptions of federal agencies. The report recommended that the authority given to the president to prepare reorganization plans not be restricted by limitations or exemptions like that of the 1945 Reorganization Act. Hoover argued that these exemptions prevented the possibility of achieving substantial results.

President Truman also described exemptions as unwanted for the new reorganization bill. He, like Hoover, argued that no agency or function of the executive branch should be exempted from close scrutiny of its operations.⁹³ According to

⁹⁰ S. 526 Committee Print The Senate of the United States, 81 Cong, January 25, 1949. Section 5 e.

⁹¹ Pemberton, *Bureaucratic Politics*, 99.

⁹² Report from Herbert Hoover to Committee on Expenditures in the Executive Departments, *Filing of Report by Commission on Organization of the Executive Branch of the Government* House 81 Cong, January 13, 1949.

⁹³ *Reorganization Act 1949. House and Senate Reports; Reports on Public Bill. Committee on Expenditures*

President Truman: “Such exemptions prevent the president and the Congress deriving the full benefit of the reorganizational plan procedure, primarily by precluding action on major organization problems.”⁹⁴

The question of exemptions, however, sparked a fierce debate over the bill. Hearings for the bill began in the House of Representatives on January 24, 1949 before the Committee on Expenditures in the Executive Department and the question of exemptions, especially for the Corps of Engineers, dominated the discussion.⁹⁵ Powerful members of Congress testified before the committee in favor of protecting the Corps of Engineers from reorganization. William Whittington, a Democrat from Mississippi, made a passionate testimony as to why the Corps of Engineers needed to be exempted.⁹⁶ As the chairman of the House Public Works Committee and the vice president of the National Rivers and Harbors Congress, Whittington was undeniably a friend to the Corps of Engineers. He argued that since the days of George Washington the federal government used military engineers for civil functions in order to better the nation. They performed the nation’s flood control and rivers and harbors improvements with an unsurpassed record of efficiency and avoided corruption and duplication. Whittington argued that the Corps of Engineers had engaged in civil functions for 160 years and to take away that task would be detrimental to national security. For these reasons, the Corps of Engineers needed to be granted an exemption from the reorganization of the executive branch.

in the Executive Departments. Senate 81 Cong. April 7, 1949

⁹⁴ *Reorganization Act 1949. House and Senate Reports; Reports on Public Bill. Committee on Expenditures in the Executive Departments*. Senate 81 Cong. 5 April 7, 1949

⁹⁵ *Reorganization of Government Agencies: Hearings before the Committee on Expenditures in the Executive Departments, United States, House of Representatives*, 81st Cong, 1-199 (1949).

⁹⁶ *Reorganization of Government Agencies: Hearings*. 81st Cong, 63-86 (1949) (statement of William Whittington Rep-MS).

Carl Vinson, a senior representative from Georgia, also argued against the treatment of the military establishment in the new reorganization bill.⁹⁷ Vinson had an impressive record in the House of Representatives.⁹⁸ He served as a Congressional representative for 50 years, his tenure spanning from Woodrow Wilson to Lyndon Johnson, and exerted considerable influence on America's armed services. In the 1920s and 1930s he labored to build up the nation's navy creating a foundation that would enable the United States to build an effective fleet during World War II. After the war he headed the Armed Services Committee in the House of Representatives and enjoyed the reputation of a Congressional expert on military affairs. He dominated his committee, responsible for funding and oversight of the Department of Defense and the United States armed forces. He enjoyed success while serving as chairman of the committee and steered countless measures through the House of Representatives. Although not unfamiliar with compromise, he only lost three floor fights completely during his entire career, making him one of the most powerful men in Washington. Vinson operated under the principle that the paramount duty of the government remained self-preservation and "enemy capabilities- not dollars- must determine our defenses."⁹⁹ He also understood the national military establishment as the most vital and necessary agent of the government and part of this integral system was the civil works projects of the Corps of Engineers.

Vinson worried that without some sort of restriction or exemption placed upon the national military establishment in the impending reorganization plan, the president could combine a desirable non-military reorganization with an undesirable military one. The

⁹⁷ *Reorganization of Government Agencies: Hearings*. 81st Cong, 158-174 (1949) (statement of Carl Vinson Rep-GA).

⁹⁸ James F Cook, *Carl Vinson: Patriarch of the Armed Forces* (Macon, GA: Mercer University Press, 2004).

⁹⁹ Cook, preface x.

proposed legislation mandated that Congress needed to either accept or reject a reorganization proposal in total without the opportunity to make amendments. Vinson worried that the president could combine a less vital and less controversial plan with one that reorganized the national military establishment in order to surreptitiously gain support for an unpopular military reorganization. He argued that in such perilous times the military establishment remained the most vital and necessary agency of the government and needed some sort of protection from unwise reorganization: “I should like to point out that there are certain features of the bill in its present form which, in my opinion, do not adequately recognize the singular importance of the national military establishment today, nor the constitutional responsibility of Congress relating to such matter.”¹⁰⁰ Vinson recommended that the new legislation give military services single package status, which meant that a plan to reorganize the Corps of Engineers could affect nothing but the Corps of Engineers. The restriction would ensure that a reorganization plan would affect its intended agency and nothing else.

The final report on the Reorganization Act of 1949 asserted that the largest number of witnesses who spoke at the hearings before the Committee on Expenditures in the Executive Department appeared on behalf of the exemption of the civil functions of the Corps of Engineers.¹⁰¹ Seventeen of twenty-five witnesses appearing at the Senate hearings and fourteen of the twenty-three resolutions and communications submitted for the record supported such an exemption. Hundreds of telegrams and letters also flooded Washington, which expressed opposition to giving the president the authority to reorganize the civil functions of the Corps of Engineers. A representative from Texas,

¹⁰⁰ Ibid 158.

¹⁰¹ *Reorganization Act 1949. House and Senate Reports; Reports on Public Bill. Committee on Expenditures in the Executive Departments.* Senate 81 Cong. April 7, 1949

Tom Pickett, offered a reason for the support of the Corps of Engineers in his testimony before the Committee on Expenditures in the Executive Department.¹⁰² He wanted to answer who sought an exemption of the Corps of Engineers and why they did so. He concluded:

They are individual citizens who have observed the world of the engineers in the area where they live. They are people who are members of navigation districts, flood control districts, waterways districts, and who have watched the development on the waterways, in the harbors and rivers and canals in this country through the years and know that the corps of engineers has done an outstanding job and they want it to continue to be in a position to keep this kind of work going.

Pickett argued these Americans back home supported the work of the Corps of Engineers which they witnessed first hand help their communities and nations. They rallied in support of the status quo of the agency and let their opinions be known in Washington.

The report of the bill, written by John McClellan in April 1949, stressed the opposing views on the question of exemptions.¹⁰³ Since the president and the Hoover Commission opposed exemptions while others testified to their necessity, McClellan argued that the most effective way to eliminate the need for exemptions was to change the procedure for approval or rejection of reorganization plans. Reorganization plans submitted to the Congress by the president operated under different legislative processes than a regular resolution. Normally, the House of Representatives and the Senate must

¹⁰² *Reorganization of Government Agencies: Hearings*. 81st Cong, 89-100 (1949) (statement of Tom Pickett Rep-TX).

¹⁰³ *Reorganization Act 1949. House and Senate Reports; Reports on Public Bill. Committee on Expenditures in the Executive Departments*. Senate 81 Cong. April 7, 1949

both pass a piece of legislation favorably through their chambers before a bill becomes a law. The Reorganization Acts of 1939 and 1945, however, guaranteed that a Presidential reorganization plan went into effect unless Congress showed disapproval of the plan by a concurrent resolution, which meant both Houses needed to reject the plan with a majority vote.¹⁰⁴ The process, known as the legislative veto, gave broad authority to the president to reorganize departments, programs, and agencies. The Supreme Court declared the process unconstitutional in 1983. In 1939 and 1945, however, the procedure placed more power upon the president to pass desired reorganization plans through Congress.

While in committee, members of the House added a clause to the 1949 Reorganization Act that stated that a simple resolution of disapproval by either the House or the Senate could kill a plan submitted by the President instead of a concurrent resolution of disapproval. The effect of the clause made a reorganization plan more easily rejected by Congress and more difficult for the President to pass a proposal. McClellan argued that the clause remained necessary in order to counteract the lack of exemptions in the legislation. McClellan rationalized the one House legislative veto:

The power thus reserved to each House seems essentially the same as that possessed by each House in the ordinary legislative process, in which process no new law or change in existing law can be made if either House does not favor it.¹⁰⁵ No significant difference would seem to exist by reason of the fact that under the ordinary legislative process the unwillingness of either House to approve the making of new laws or a change in existing law is manifested by the negative act of refusing to register a favorable vote, whereas under the bill the unwillingness

¹⁰⁴ Pemberton, *Bureaucratic Politics* 97-109.

¹⁰⁵ *Reorganization Act 1949. House and Senate Reports; Reports on Public Bill. Committee on Expenditures in the Executive Departments.* Senate 81 Cong, 15. April 7, 1949.

must be manifested by the affirmative act of passage of a resolution of disapproval of a reorganization plan.

The one House legislative veto effectively took power away from the president and placed it within the Congress. Congress could more easily reject any reorganization plan it found undesirable. The House Committee also added a subsection called the single package amendment championed by Representative Vinson. The amendment stated that a reorganization plan for an agency could not be submitted alongside a plan, which does not affect the agency.

Debate raged on for two months before Truman signed the bill in June of 1949.¹⁰⁶ The Hoover Commission and Truman argued for the removal of the single package amendment and the retention of a concurrent resolution of disapproval to reject a plan. The final bill maintained the one House legislative veto but dropped the single package amendment. The one House legislative veto, however, remained a powerful tool of the Congress to cap executive power especially in regards to the Corps of Engineers and threatened the Hoover Commission's recommendations. If the President proposed the plan to transfer of the civil functions of the Corps of Engineers, a majority of members in either the House or the Senate could reject the plan.

The debate over exemptions in Congress proved that the Corps of Engineers enjoyed the support of many important and high-ranking Congress members who would rally to block any reorganization plan and could do so more easily with the one house legislative veto. Senator McClellan, who introduced the bill, and wrote its final report, staunchly opposed the transfer of the civil functions of the Corps of Engineers. McClellan along with Commissioner Carter Manasco also wrote dissenting opinions of the Hoover

¹⁰⁶ Pemberton, *Bureaucratic Politics*, 107.

Commission's plan to reorganize the Corps of Engineers. The Corps of Engineers' champions in Congress also crossed party lines, which suggested that a bipartisan legislative veto majority could be found. The makeup of the Corps of Engineers' closest lobbying group, the National Rivers and Harbors Congress, attested to this bipartisan support. The president, McClellan, held the position of the highest ranking democratic in the Public Works Committee while one of the three vice presidents, Kenneth Werry, held the position of republican leader in the Senate.¹⁰⁷

The Corps of Engineers also opposed any reorganization plans. Although the Corps of Engineers denied any involvement in arousing the opposition to the Hoover Report, the agency clearly espoused their position on the commission on the organization of the government. The Department of the Army opposed the transfer of the Corps of Engineers civil functions to the Department of the Interior. The Department confirmed the retention of the operational responsibilities for civil works with the Chief of Staff, previous Chiefs of Staff, a board of general officers, and the department general staff who concluded:

The evidence presented clearly demonstrates that the proposed transfer of the operational responsibilities for civil works of the Corps of Engineers to the Secretary of the Interior or to any civil agency would be detrimental to the national defense. It would unquestionably have damaging effects on our national mobilization potential and on our military capabilities for waging war.¹⁰⁸

¹⁰⁷ Benton Stong "The Rivers and Harbors Lobby" *The New Republic* October 1949.

¹⁰⁸ Senate Committee on Expenditures in the Executive Departments. Staff Memorandum No. 82-1-40. June 11, 1951

The memorandum distributed to the Senate Committee on Expenditures in the Executive Department emphasized the importance of the civil works functions to ensure a military advantage. The department applauded America's advantage in military engineering that led to the victory in World War II and argued that this was in large measure due to the peacetime training found in the responsibilities of the Corps of Engineers. The department maintained that through complex projects only available in peacetime in the realm of civil works, individuals and officers developed engineering and administrative experience that proved invaluable during wartime.

The Department of the Army also stressed the importance of a peacetime military engineering organization capable of rapid expansion to wartime mobilization. During 1940-1941, military engineers executed a discreet build up of American bases in the Atlantic and Pacific. The memorandum argued that the quiet and efficient premobilization build up contributed to the preparedness of the nation at the dawn of World War II. Disorder and disarray would have ensued if the expansion of American bases had required a new organization or the emergency diversion of a civil organization to a military task. The Corps of Engineers also found a voice at Congressional hearings to declare their opinion about the proposed changes to their organization.

In April 1952, the Subcommittee to Study Civil Works, a part of the Committee on Public Works in the House of Representatives, held hearings about the Corps of Engineers.¹⁰⁹ Maass argued that the objective of these hearings was to counteract the critical conclusions the House Appropriations Subcommittee on Deficiencies and Army

¹⁰⁹ *Study of Civil Works: Hearings Before the Subcommittee to Study Civil Works of the Committee on Public Works House of Representatives*, 82 Cong. 1-190 (1952).

Civil Functions reached about the agency.¹¹⁰ The resolution that created the subcommittee asked for a study to develop a better understanding of the practices, policies, and procedures of the Corps of Engineers concerned with the improvement of harbors, development of river resources, the control of floods, and other uses of water. A member of the subcommittee, George Dondero, hinted at another objective of the hearings: to correct the bad name placed upon the Corps of Engineers recently by critics of the agency.¹¹¹ These criticisms, he argued, destroyed faith and confidence in the agency and the Public Works Committee. Of the eight witnesses who spoke at the six-day hearings, seven held high-ranking positions within the Corps of Engineers. The hearings served as a stage for the Corps of Engineers to refute the charges laid against them by the Hoover Commission, Maass, and the public who desired to shake up the agency.

The first claim the Corps of Engineers sought to publically refute was the accusation by Ickes that the agency was the most powerful lobby in Congress.¹¹² Lieutenant General Lewis Pick stated bluntly: “we are not lobbyists.” Pick argued that no Congress member ever approached or pressured him to ask for a favorable engineering report. Pick called Ickes’ charges borderline absurd and argued: “Mr. Ickes appears to accept with pleasure the task of returning to the attack on an agency which successfully parries his thrusts and eluded his clutches when he was Secretary of the Interior.”¹¹³ Pick concluded that Ickes and Maass only sought to build up their own

¹¹⁰ Letters, Arthur Mass to Leslie Miller, January 30, 1952, Correspondence- Maass, Maass-White Papers.

¹¹¹ *Study of Civil Works: Hearings Before the Subcommittee to Study Civil Works of the Committee on Public Works House of Representatives*, 82 Cong. 11-12 (1952).

¹¹² *Study of Civil Works: Hearings Before the Subcommittee to Study Civil Works of the Committee on Public Works House of Representatives*, 82 Cong. 82-90(1952) (statement of General Pick, chief, Army Corps of Engineers).

¹¹³ *Ibid* 116.

philosophy of government, which placed greater centralized authority in the executive branch, and in the process ignored the wishes of the American people.

Pick also refuted the accusations of lobbying made by Leslie Miller in his article in the *Saturday Evening Post*. He called Miller's statements sensational and blatantly untrue. In an effort to discredit Miller, Pick accused Miller of great interests in water resource development in Wyoming. His western state, however, advocated more for irrigation. Pick suggested that the former governor criticized the Corps of Engineers so harshly because of a close relationship and interest in the Bureau of Reclamation. Pick also refuted the accusation made by Miller that the Corps of Engineers blocked a \$200,000 reduction in the 1949 Senate River and Harbors Appropriation Bill.

Subcommittee Chairman Robert Jones snidely asked Pick in response to this accusation: "But I wonder what the Corps of Engineers had to do with the Senate voting 3 to 1 on it? You do not take charge over at the Senate and run that thing, do you?"¹¹⁴ Throughout the hearings, the subcommittee members displayed a clear bias towards the Corps of Engineers.

The staff of the Corps of Engineers also contested the accusation by Maass, Miller, and Ickes that they engaged in ruthless competition and fighting with the Bureau of Reclamation. To the charge, Pick answered that the agencies do not encroach on one another and participate in different phases of federal water resource development.¹¹⁵ Although disagreement existed between the two agencies, there remained a full interchange of technical experience, data, and assistance at the field level. Furthermore, the Corps of Engineers did not engage in deceptive practices in order to make their

¹¹⁴ Ibid 88.

¹¹⁵ Ibid 96.

projects more economically justified than those of the Bureau of Reclamation. Pick flatly denied that his agency deliberately underestimated costs.

General Chorpening, the assistant chief of engineers in the Corps of Engineers, also opposed the recommendations of the Hoover Report.¹¹⁶ He argued removing the civil works responsibilities from the agency would put the ability of the Corps of Engineers at a serious disadvantage to do its proper job for national defense. The 44 engineering districts all over the nation remained ready at a moments notice to launch immediately into a war effort as a result of their training and experience in civil works projects. The civil works functions of the Corps of Engineers also played a vital part of the nation's economic and industrial development.

Chorpening also commented on the creation of a national review board proposed by the Hoover Report, which would review all water resource projects before coming to Congress. He argued that the current process of adopting projects into law thoroughly considered proposed projects. Chorpening mentioned how Congress, the district engineers, the division engineers, the Rivers and Harbors board, and state governors all reviewed projects before they transmitted them for a final vote in Congress. He concluded that another review mechanism would not only waste money and time but also "It seems to me that with all the procedures that have been set up, any further review is perhaps an anticlimax."¹¹⁷ Chorpening also emphasized the cooperation between the Corps of Engineers and other federal agencies in the project approval process. Other

¹¹⁶ *Study of Civil Works: Hearings Before the Subcommittee to Study Civil Works of the Committee on Public Works House of Representatives*, 82 Cong. 60-70(1952) (statement of General Chorpening, assistant chief, Army Corps of Engineers).

¹¹⁷ *Ibid* 62.

relevant agencies of the government always commented on the projects and returned their observations to the engineers.

Throughout the hearings, the staff of the Corps of Engineers stressed their commitment to interagency cooperation. In the past two decades, the public works program within the Corps of Engineers had grown, making the necessity for cooperation more evident. Pick lamented that critics of the agency overlooked the efforts of the Corps of Engineers to coordinate with other agencies:

Differences of opinion and disagreements have existed and some still remain between the Corps of Engineers and other Federal agencies regarding certain aspects of water resource development, just as differences are common between bureaus in a single department.¹¹⁸ These are due to divergent laws, differences in basic philosophy, and inherent physical conflicts as to uses of water. While some of these differences are of primary importance, the area of disagreement between agencies, in my opinion, is very small insofar as the civil works program is concerned. It is regrettable that these honest divergences of thought have been magnified by critics to overshadow the sound advances that have been made by Federal agencies toward coordination and cooperation.

General Pick gave many examples of interagency coordination between the Corps of Engineers and other federal bureaucracies. For example, Boysen Dam, which resulted in the Pick-Sloan Plan did not represent a “shotgun wedding” as Miller called it, but rather an example of the progressive cooperation between the Corps of Engineers and the

¹¹⁸ *Study of Civil Works: Hearings Before the Subcommittee to Study Civil Works of the Committee on Public Works House of Representatives*, 82 Cong. 4 (1952) (statement of General Pick, chief, Army Corps of Engineers).

Bureau of Reclamation. He called the military engineers leaders in the voluntary efforts to secure interagency coordination.

General Chorpening highlighted the Corps of Engineers' participation in the Federal Interagency Committee since 1943.¹¹⁹ The voluntary committee brought top members of agencies together to coordinate and exchange views. The members on the committee consisted of the Department of the Interior, Agriculture, Public Health Service, Federal Power Commission, Department of Commerce and the Corps of Engineers. Chorpening testified that these meetings stimulated and encouraged cooperation between federal agencies on projects dealing with natural resources. These meetings took place in the field and also in Washington. Chorpening mentioned two surveys that were currently being undertaken by the Corps of Engineers, the Arkansas-Red-White surveys and New England surveys that incorporated interagency committee meetings to promote cooperation.

Maass worried in 1950 that the Corps of Engineers would emphasize their commitment to cooperation and coordination with other federal agencies as a way to deflect the calls of the Hoover Report for a united water resource policy.¹²⁰ He argued that President Truman's Water Resources Policy Commission suggested interagency cooperation as a viable alternative to the Hoover Commission's recommendations. Since its legislation limited the Hoover Report's study of the organizational issues of water resources management, President Truman created the Water Resource's Policy Commission, or Cooke Commission named after its commissioner Morris Cooke in 1949,

¹¹⁹ *Study of Civil Works: Hearings Before the Subcommittee to Study Civil Works of the Committee on Public Works House of Representatives*, 82 Cong. 60-70(1952) (statement of General Chorpening, assistant chief, Army Corps of Engineers).

¹²⁰ Arthur Maass, "Review of The Report of the President's Water Resources Policy Commission, 1950" *American Political Science Review* September 1951.

to study water policy. Maass argued, however, that the Cooke Commission inserted itself directly into the current controversies with water resource organization and that "...avid proponents of the Hoover Commission's proposals will conclude that the Water Commission has weakened or even 'crossed-up' the Hoover group."¹²¹ The Hoover Commission asserted that efforts of interagency committees failed to solve the overlapping jurisdiction and duplication problems that water resource agencies encountered. Furthermore, the Corps of Engineers refused to allow these committees to step in and help settle differences and problems between agencies. Interagency committees would not work until the bureaus that handle water resources endured fundamental reorganization. The Cooke Commission, however, proposed an alternative to the Hoover Report: to strengthen interagency committees in Washington and set up river basin commissions on an interagency basin, all without reorganization.

Maass argued that opponents of the Hoover Report's recommendation to remove the civil functions of the Corps of Engineers now boasted an alternative plan: the recommendations of the President's Water Resources Policy Commission. The Subcommittee to Study Civil Works hearings provided the Corps of Engineers a stage to not only refute the claims made by their critics, but also to present their commitment to cooperation and coordination.

During the hearing, the members of the Corps of Engineers systematically broke down all of the criticisms launched against them. They denied lobbying, pork barrel practices, infighting with the Bureau of Reclamation, duplication, distortion of facts and costs and also made an effort to discredit those who criticized them. They also argued

¹²¹ Ibid 878.

that a transfer of their civil functions was not necessary because of their commitment to interagency cooperation in all project areas.

The Reorganization Bill of 1949, the opinions of high ranking senators, and the attitude of the Department of the Army caused much controversy on the subject of the reorganization of Army Corps of Engineers. It also made the reorganization plans of the Hoover Commission easier to reject. The controversy caused Truman to leave the transfer of the civil functions of the Corps of Engineers to the Department of the Interior off his first round of reorganization plans in 1949. Throughout the next three years, the debate continued over the reorganization of the Corps of Engineers. Truman failed to submit a reorganization plan which affected the Corps of Engineers to Congress. An article in the *Engineering News-Record* from 1950 illustrated the continued opposition with which Truman had met.¹²² It argued that Senator McClellan “will fight a civil functions transfer plan to his last breath.” The opposition made a reorganization plan for 1950 highly unlikely to be reported in the newsletter.

In 1952, however, the press announced that Truman would finally submit a plan that would reorganize the Corps of Engineers. The proposed plan excited Maass, Miller, and McCormick who rallied to support the President. At the last minute, however, Truman did not submit a reorganization proposal that would affect the federal agency. The press offered reasons that Truman withdrew support for a reorganization plan. A *Daily Republic* article asserted that: “No sooner did the President’s remarks make the

¹²² Vincent B Smith “Army-Reclamation Merger Held to be Unlikely This Year” *Engineering News-Record* April 13, 1950.

papers than the Engineers and their big-league lobby, the National Rivers and Harbors Congress, started honing their knives.”¹²³

Maass also offered two theories as to why Truman reneged his plan at the last minute.¹²⁴ First, Maass argued General Pick, the chief of Engineers at the time, “... charmed the pants off Truman on that fatal flight over the flood at Omaha, and that the Army had prepared well those Missouri Basin governors who met with Truman in the hotel room in Omaha.” Second, Maass asserted that Congressional leaders asked Truman not to bog them down with such a controversial proposal as the transfer of the civil functions of the Corps of Engineers. He argued that members of Congress knew that a reorganization plan of the Corps would cause uproar from some members and could wreck the chances of many other reorganization plans.

Chief of Engineers Lewis Pick sent a memorandum to the members of the Corps of Engineers about the decision of President Truman to not submit to Congress a reorganization plan that would have transferred their civil works responsibilities to the Department of the Interior.¹²⁵ He denied that Truman abandoned the plan because of the Corps connection to powerful lobbies and called them “erroneous malicious charges.” He also thanked his staff for their loyalty and devotion to the agency and their ability to continue their job despite vicious attacks upon the organization.

No one reason explained Truman’s reluctance to submit a plan to reorganize the Corps of Engineers to Congress. Many stood to lose, however, from the adjustment to the status quo. Congress faced the loss of direct access to a large public works agency and

¹²³ “Can’t be Licked” *The Daily Republic*. April 29, 1952.

¹²⁴ Letters, Arthur Maass to Robert Hartley, May 29, 1952, Correspondence- Maass, Maass-White Papers.

¹²⁵ Memorandum from Department of the Army Office of the Chief of Engineers. Lewis Pick May 5, 1952.

with its expensive projects to bring home to their constituents. The Corps of Engineers faced the removal of an integral part of military planning and preparedness as well as projects that buoyed their administrative status. The opponents of the Hoover Commission publicized their opinions and attacked their challengers. The Hoover Commission also suffered from internal problems of division and disunity and faced a legislative veto that made their charges seem bleak.

CHAPTER 3: REORGANIZERS AND ENVIRONMENTALISTS

Environmentalists in the 1960s and 1970s reframed the debate about the proper function of the Corps of Engineers. They expanded on the critiques of the Hoover Commission and Maass to include the natural environment within a coordinated and rational system of water resource management. Typically, scholars differentiated the modern environmental movement from the conservation effort of the first half of the twentieth century. Scholars drew lines between the “old” conservation movement, focused on wilderness, resource management, and public lands, and the “new” environmental movement, which focused on threats to human health such as water pollution, toxins, and hazardous waste.¹²⁶ James Turner, however, argued that the environmental movement of the 1960s and 1970s was just as much about older conservation issues as it was about new issues of human health and safety. He argued that environmentalists, specifically those interested in the preservation of wilderness integrated new techniques such as legislative, scientific, and legal tools in order to make advances for older conservation issues. In his monograph, Turner concluded, “This is important because the major shifts in modern American environmental politics emerged not just in reaction to a new generation of environmental issues, as many scholars have supposed, but also in response to the changed debates over these old conservation issues.”¹²⁷

Turner emphasized the issue of wilderness as a pivotal component of the environmental movement. Wilderness advocates tied environmental critiques to the

¹²⁶ James Turner, *The Promise of Wilderness: American Environmental Politics Since 1964* (Seattle, WA: University of Washington Press, 2012) 1-13.

¹²⁷ Turner, *The Promise of Wilderness*, 8.

preservation of wild lands. Actions like logging, mining, and dams posed a recognizable and immediate threat to the natural environment and wilderness advocates used these projects to publicize their cause. The preservation of wilderness gave environmentalists an arena in which they could critique the Corps of Engineers and challenge the agency's role in federal water projects. Environmentalists framed their arguments not only in terms of the protection of the natural environment, like preservationists from the first half of the twentieth century, but also integrated critiques similar to those made by the coalition of the 1940s and 1950s. The ideological motives of environmentalist concerns for the Corps of Engineers differed from one another and from the reorganizers of the 1940s; however, their charges against the agency echoed Maass, the Hoover Commissions, and the Citizens Committee for the Hoover Report. Like the reorganization coalition, environmentalists argued that the Corps of Engineers and other agencies operated without a rationalized and coordinated system of water resource management. They expanded upon this argument to show how the lack of a centralized system caused environmental degradation. Like the reorganization coalition, environmentalists worried about the impregnable power of the agency, underhanded political practices, and the lack of a sound national water resource policy and its effect not only on the natural environment but also ordinary citizens.

Elizabeth Drew, in an article in *The Atlantic*, discussed the position of the Corps of Engineers in 1970.¹²⁸ She argued that in the United States the environmental movement grew substantially between 1960 and 1970 and noted that a poll taken by the White House showed environmental concerns existed second only to the Vietnam War in the public mind. A new awareness of the science of ecology brought federal projects that

¹²⁸ Elizabeth Drew, "Dam Outrage: The Story of the Army Engineers" *The Atlantic* April 1970, 51-62.

disturbed interrelationships between organisms and their natural environment into the spotlight. The Corps of Engineers represented one such agency that manipulated the environment in often destructive and irreversible ways and faced the ire of environmental proponents. For instance, in Everglades National Park the Corps of Engineers met with environmental opposition against a plan to expand the South Florida Water Project. The project would divert fresh water from the northern part of the state away from the park's plant life, fish and birds that relied on the steady flow of water. Environmental advocates criticized the Corps of Engineers for a lack of environmental consciousness.

Critics of the Corps of Engineers did not base their critiques solely on environmental issues. Drew argued they addressed broader concerns that questioned the traditional efforts of public works programs. These arguments echoed the calls of reorganizers from the 1940s and 50s. Like the coalition of reorganizers, Drew emphasized the lack of coordination of federal bureaucracies who dealt with the environment and natural resources. She argued the Corps of Engineers "...is part of a growing hodgepodge of federal bureaucracies and programs that work at cross-purposes."¹²⁹ The lack of coordination resulted in unreasonable approaches to the environment: the Department of Agriculture drained wetlands and the Corps of Engineers dammed rivers while the Department of the Interior tried to preserve them both for different means. The Bureau of Reclamation and Corps of Engineers built construction projects to provide farmlands to farmers to produce crops. The federal government then paid those same farmers hundreds of millions of dollars not to produce those same crops.

Thomas Barlow, a member of the Natural Resources Defense Council (NRDC), a non-profit environmental group that sought sustainable policies from the government

¹²⁹ Drew, "Dam Outrage" 52.

through litigation, outlined the detrimental effects of a lack of coordination and rational planning of federal flood control programs.¹³⁰ He testified during a hearing in front of the Water Resources Subcommittee on the concerns of flood control held by environmentalists.¹³¹ He argued that deplorably little coordination existed between the various federal agencies who worked on flood control projects including the Corps of Engineers but also between local and private authorities involved in flood prevention programs. He also charged agencies of disregarding various interagency committees because of a disinterest in potential encroachment on their traditional efforts. Barlow argued that an interagency council needed the authority to coordinate the Corps of Engineers, the Soil Conservation Service, the Tennessee Valley Authority and the Bureau of Reclamation because they would not do it on their own.

Barlow also argued that the lack of coordination resulted in the inability to cope with flooding situations throughout entire river basins. The lack of adequate flood control, specifically in the wake of disastrous floods in the Mississippi Valley in the spring of 1973, not only cost millions of dollars in damages, but also ravaged the farmland ecology along the river. Barlow contended that the Department of Agriculture's Soil Conservation Service channeled thousands of miles of streams and rivers to drain upper basin areas more effectively. The channels removed water in the upper river basin, but flooded thousands of miles of low-lying land. The Corps of Engineers also built flood control levees on the Mississippi River. They, however, did not allow for any tributaries to empty, thus causing floods in other parts of the basin. In this case both agencies

¹³⁰ For the NRDC see Carolyn Merchant, *American Environmental History: An Introduction*, (New York, NY: Colombia University Press, 2007), 198-200, 247.

¹³¹ *River Basin Authorizations and Related Water Resource Projects Subcommittee on Water Resources, Committee on Public Works. Senate; Committee on Public Works. Senate. 93 Cong, 633-658, May 3, 1973* (statement of Thomas Barlow, Natural Resources Def Council).

implemented flood control programs that reduced flooding in one particular area at the expense of another. Barlow admonished the agencies for a focus on one part of the river and not the entire basin.

A lack of coordination and a centralized system also resulted in an agency unable to see the “big picture.” Barlow’s criticism echoed that of Arthur Maass who argued that the Corps of Engineers only catered to local beneficiaries instead of a broader inclusion of people. Like Maass, many environmental critiques of the Corps of Engineers rested on the agency’s inability to consider factors beyond the immediate construction site. Barlow described the environmental impact of such short-minded flood control policies.

Drew also chided the Corps of Engineers for implementing shortsighted water resource development programs.¹³² She argued that instead of completing projects to improve flood control and navigation for the greatest number of citizens, the Corps of Engineers preferred to construct dams, dredge and fill estuaries, and build flood control protection for the benefit of small local interest groups. She argued that in many cases projects completed by the agency only benefited one particular industry in a localized area. For example, a proposed project to deepen the Delaware River from Philadelphia to Trenton would not only cost taxpayer money, but would also cause environmental damage to the river all for the benefit of one company: the United States Steel Corporation. She also noted that the preponderance of Corps of Engineers projects served the South, mainly the Mississippi River area. The agency did not spread the benefits of such projects evenly and large landowners and real estate developers tended to reap the benefits from federal water resource management programs.

¹³² Drew, “Dam Outrage” 59.

Drew reasoned that the Corps of Engineers projects traditionally benefited a narrow group of interested people and did not coordinate with other bureaucracies because of the agency's close relationship with Congress. Like the reorganizers, she blamed pork barrel politics that legislated the agencies projects.¹³³ Members of Congress from areas who wanted federal water resource projects, often senior and powerful members, treated the Corps of Engineers like a pet. Projects relied on the interplay of state and local interests , bureaucratic agencies, and the tradition of reciprocity between these legislators. The system, based on self-interest, ignored influences from outside of the process.

Drew argued that pork barrel politics assisted Congress in the authorization of environmentally unsound and controversial projects. She cited the Trinity River project in Texas as an example. Powerful men in Washington supported the project, whose major purpose was to build a navigable channel from Fort Worth, Texas 370 miles to the Gulf of Mexico. Dale Miller, the president and chairman of the board of the National Rivers and Harbors Congress, coordinated members of the Corps of Engineers, various improvement associations, and chambers of commerce in support of the project. She accused private interest groups of influencing Congress and the Corps of Engineers of supporting the program. One Texas legislator called the project the wildest scheme he had ever seen. He considered the project ludicrous because it involved dredging the entire 370 miles and building expensive locks which would only benefit industrial shippers.

The Trinity River Barge would eventually meet up with the Cross-Florida Barge Canal and then another channel all the way to Trenton, New Jersey. Dale Miller also garnered support for this project and pressured Congress and the Corps of Engineers. The

¹³³ Drew, "Dam Outrage" 57.

project would affect countless marine habitats and ecosystems, as well as the swamps and wilderness in the state and inflict irreversible damage on the free flowing Oklawaha River. A Florida environmental representative argued:

The villain in the case of the barge canal is like an octopus¹³⁴. One of the tentacles is the Corps of Engineering and its blundering construction. Another consists of self-serving politicians, and still another is made up of the special interests, such as the phosphate, transportation, and paper industries. And finally, there are the state agencies, which from the start ignored the conservationist's warnings.

Drew exemplified that the process of lobbying and pork barrel politics, which the reorganizers had attempted to stop, still existed in Washington. The Corps of Engineers, politicians, and private interests assembled in order to authorize a federal water resource project that benefited special interests at the expense of the nation. Drew integrated the pork barrel argument with an environmental ideology that aimed to preserve the ecosystem of the Oklawaha River. Each tentacle of the metaphoric octopus served only the interests of the other appendages. A concern for the environment and sound water resource management was markedly absent from the coalition that formed to advocate for the dredging of channels in Florida.

Drew, like Leslie Miller in his articles for the *Saturday Evening Post*, praised the work done by Senator Paul Douglas to try and stop Congressional patronage of water resource projects.¹³⁵ She commended the Senator for speaking out against the system of mutual accommodations and favors, which pushed along expensive, duplicate, and unsound water resource projects. According to Drew, Douglas, after all of his efforts,

¹³⁴ Drew, "Dam Outrage" 59.

¹³⁵ Drew, "Dam Outrage" 55-56.

gave up the fight against unsound rivers and harbors projects in 1956. Douglas concluded that anyone who questioned the status quo met with the impossible task of trying to prove the merits of a project against a system "...with the implicit promise that no one will kick over the applecart; that if senators do not object to the bill as a whole, they will get theirs."¹³⁶ Environmentalists, however, picked up the reigns of Douglas' abandoned project.

Walter Rosenbaum and Paul Roberts, in a 1972 article in the *Law & Society Review*, presented the integration of political criticisms against the system of the Corps of Engineers with environmental critiques.¹³⁷ Rosenbaum and Roberts asserted that impatience with the pork barrel system underlay the current mood of the environmentalists, who launched an attack on federal water resource projects. They argued: "while fighting specific projects, their ultimate objective has often been to disrupt the pork-barrel system which, they believe, is the ultimate perpetrator of so many environmentally damaging projects."¹³⁸ The pork barrel system remained deeply entrenched in the Congressional system of decision making about water resource projects. Environmentalists argued that even if the Corps of Engineers or another agency found a project to have detrimental environmental aspects, Congress typically slighted these concerns. Members of Congress ignored environmental considerations, instead hypnotized by the high political and economic benefits large public works projects usually entailed.

¹³⁶ Drew, "Dam Outrage" 55.

¹³⁷ Walter Rosenbaum and Paul Roberts, "The Year of Spoiled Pork: Comments on the Court's Emergence as an Environmental Defender" *Law & Society Review* 1972 33-60.

¹³⁸ Rosenbaum and Roberts, "The Year of Spoiled Pork" 34.

The refusal of members of Congress to part with the pork barrel system, which shuffled public water resource projects through the legislative process, left the Corps of Engineers largely immune to review or revision of their procedures.¹³⁹ Like reorganization efforts of the 1940s, environmentalists argued that the Corps of Engineers and other agencies enjoyed administrative insularity from judicial and legislative review. The agency ignored any opinions incompatible with their traditional approach to water resource development.

Rosenbaum and Roberts described a victory of the environmentalists that forced upon the Corps of Engineers a degree of oversight and brought the agency closer to a coordinated and rational system of water resource management. The coalition of the 1940s and 1950s argued that part of a rational system of water resource management should involve a review board, apart from the agency or congress that could not only foster coordination but force accountability on the agency's projects. The National Environmental Policy Act (NEPA) embodied an impartial review agency that could ensure the Corps did not ride roughshod over the natural environment.

The act mandated that federal agencies prepared an environmental impact statement, which outlined the possible effects of a project on the environment in order to gauge the influence of human impact on the environment and promoted a more harmonious relationship between humans and nature.¹⁴⁰ Agencies submitted these reports to the Council on Environmental Quality (CEQ). Gladwin Hill, an environmental correspondent for *The New York Times*, called the requirements of an environmental

¹³⁹ Rosenbaum and Roberts, "The Year of Spoiled Pork" 36.

¹⁴⁰ Carolyn Merchant, *American Environmental History: An Introduction*, (New York, NY: Colombia University Press, 2007), 193-205.

impact statement a revolution.¹⁴¹ Hill argued that federal impact statements had the revolutionary effect of holding agencies more accountable for their actions: “Agencies that had been making myopic and self-serving decisions in traditional bureaucratic secrecy suddenly acquired new accountability: They had to lay their plans on the table for everyone to look at.”¹⁴²

NEPA embodied the oversight desired by Maass, the Hoover Commission, and the Citizens Commission. The act exemplified a piece of a rational water management system in which the CEQ could hold the agency accountable for environmental degradation. NEPA also displayed the integration of a coordinated and rational system with concerns for the environment.

¹⁴¹ Gladwin Hill, “From Forest to River to Dam to Drilling, Documents Must Assess the Damage to Nature” *The New York Times*, December 5, 1976, 208.

¹⁴² *Ibid* 208.

CONCLUSION

A reoccurring criticism made by the coalition of reorganizers about the Corps of Engineers in the 1940s and 1950s was their inability to define and create a clear national water resource policy. They argued that a step towards a national policy entailed a review of the projects of the Corps of Engineers and other bureaucracies who submitted plans for public works endeavors. Maass argued that instead of a system of evaluation and assessment within the executive branch, the agency sidestepped such a review and worked directly with Congress. The Hoover Report recommended legislation that moved the Corps of Engineers into the Department of the Interior where a board of review and the chief executive could oversee the agencies public works projects.

The Hoover Commission failed to force upon the Corps of Engineers a coordinated national water resource policy. Instead the usual actors in water resource development won out: “state and local interests zealous for public works, the desire of legislators to enhance their electoral status by producing federal projects for the folks at home, the tradition of reciprocity among Congressional representatives in voting for local works, and the enthusiastic collaboration of bureaucratic agencies whose administrative fortunes are buoyed by generous funding of local public works.”¹⁴³ The Hoover Commissions failed to impart any significant changes to water resource management.

Yet the criticisms against the Corps of Engineers did not disappear, but rather emerged again from the calls of citizens concerned with the natural environment. New criticisms towards the Corps of Engineers came from environmentalists in the 1960s and 70s armed with the same arguments made by the coalition who wished to enforce the

¹⁴³ Rosenbaum and Roberts, “The Year of Spoiled Pork” 35.

Hoover Commission's recommendations on water resource management. They wished to end the pork barrel system of decision-making and see the Corps look beyond local beneficiaries in order to better protect the environment. They called the agency wasteful and deceitful for the way they treated the free flowing rivers in the nation. The similar rhetoric and criticisms aimed at the Corps of Engineers from the reorganization coalition and environmentalists bridges a gap between the two eras. The period of the Hoover Commissions exemplified a time when citizens formed opinions about the proper behavior of a government bureaucracy.

While the reorganizers failed to impart a national water resource policy, the environmentalists forced administrative responsibility upon the Corps of Engineers through the close examination of environmental impact statements. They became a review process, subject to judicial analysis, which bridled the power of the Corps of Engineers and placed agencies one step closer to a national water resource policy.

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