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sistance for which federally recognized Indian tribes qualify as recipients; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. MUSKIE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. McINTYRE:

S. 3136. A bill to confer U.S. citizenship posthumously upon Guy Andre Blanchette; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. BAYH, Mr. BURDICK, Mr. GRIFFIN, Mr. HART, Mr. HARTKE, Mr. MCCARTHY, Mr. MCGOVERN, Mr. NELSON, Mr. PERCY, Mr. PROXMIRE, Mr. SAXBE, Mr. SMITH of Illinois, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio):

S. 3137. A bill to amend the Act creating the Saint Lawrence Seaway Development Corporation in order to cancel the indebtedness of the Corporation to the United States; to the Committee on Commerce.

(The remarks of Mr. MONDALE when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 3135—INTRODUCTION OF A BILL TO MAKE AVAILABLE CERTAIN ORGANIZED TRIBES, BANDS OR GROUPS OF INDIANS RESIDING ON INDIAN RESERVATIONS ESTABLISHED UNDER STATE LAW CERTAIN BENEFITS, CARE, OR ASSISTANCE FOR WHICH FEDERALLY RECOGNIZED INDIAN TRIBES QUALIFY AS RECIPIENTS

Mr. MUSKIE. Mr. President, today I am introducing legislation to extend Federal benefits to Indian tribes and certain organized bands or groups of Indians residing on Indian reservations established under State law. The benefits include care or assistance for which federally recognized Indian tribes qualify as recipients.

Because the eastern seaboard States existed prior to the formation of a Federal Government, lands in these States reserved to the Indians were not ceded to the Federal Government to become part of Federal responsibility.

Thus, for years American Indians residing on State reservations have been denied the benefits of many Federal programs because these tribes are not "federally recognized tribes" within the definition of the Federal Bureau of Indian Affairs. I have been aware of this discrimination, and at appropriate times have introduced legislation which specifically included State Indian reservations in particular Federal programs. For instance, the Public Works and Economic Development Act of 1965—Public Law 89-136—contains explicit language designating State Indian reservations as eligible for assistance under the act.

There are over 100 acts of Congress, rules and regulations authorizing aid and assistance to American Indians. Some of these acts confer on the Secretary of the Interior control over Indian property. Consequently not all of these acts, rules, and regulations would be beneficial to State reservation Indians. The purpose of my bill is to qualify State reservation Indians, at their option, to participate in Federal Indian aid programs. This approach will insure full independence of the State reservation tribes.

I would like particularly to call to the attention of my colleagues the fact that in Maine we have three State Indian reservations—the Penobscot Reservation on Indian Island in Penobscot County, and two Passamaquoddy Reservations in Washington County. A total of 1,200 Indians reside on the three reservations under the guardianship of the State. Yet these 1,200 Indians are excluded from participating in a great many Federal programs because of restrictions limiting the programs to Federal Indian tribes. For example, the Omnibus Crime Control and Safe Streets Act of 1968—Public Law 90-351—was amended to allow Indian tribes to benefit from its programs, along with other "units of general local government." The definition of these units includes "an Indian tribe which performs law-enforcement functions as determined by the Secretary of the Interior." The Maine Law Enforcement Planning and Assistance Agency has indicated that this provision, with its requirement that the Secretary of the Interior determine tribal law-enforcement functions, excludes State Indians from its coverage. This is only one of many examples where State reservation Indians cannot avail themselves of beneficial Federal programs.

Eight States—Connecticut, Maine, New York, Pennsylvania, Rhode Island, South Carolina, Texas, and Virginia—have a total of 27,311 Indians residing on non-Federal reservations. There are approximately 15,000 Indians living in New York State. Out of this number, about 10,000 reside on nine State reservations.

The numbers involved here are small, but the needs of these State reservation Indians are urgent and unmet. Like their brothers on Federal reservations, our State Indians have too often had policy imposed from without. They have been encouraged to sever their tribal and cultural ties. They have faced harassment, hostility, and discrimination in the world outside the reservation. Within the reservation they have faced despair and deterioration of the culture they hold dear and which gives them distinction as Americans.

Our American Indians want what so many of us have and take for granted—adequate and relevant education, job opportunities, health care, and decent housing. They want dignity. They want to be judged as individuals in their own right, and they want to maintain and nurture their uniqueness.

The choices most of us make in life, such as what career to enter, where and how to live, are not always easy to implement, but we take for granted our right to make these decisions from a broad range of alternatives. We make such choices, confident that our happiness and success are limited only by our abilities, our training and our ambition.

The bill which I introduce today will provide a new approach toward filling the needs of a unique group of Americans. It will give State reservation Indians the right to decide, the opportunity to choose, to participate in Federal Indian programs.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3135) to make available to certain organized tribes, bands or groups of Indians residing on Indian reservations established under State law certain benefits, care, or assistance for which federally recognized Indian tribes qualify as recipients, introduced by Mr. MUSKIE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3135

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of all Federal programs and laws providing benefits, care, or assistance, financial or otherwise, to Indian tribes or members thereof, any organized tribe, band or group of American Indians a majority of the members of which reside on an Indian reservation established under the laws of a State, but which has not heretofore been recognized as an Indian tribe for purposes of such programs or laws, shall, in its discretion, be entitled to receive such benefits, care, and assistance for which Federally recognized Indian tribes or members thereof qualify as recipients.

S. 3137—INTRODUCTION OF A BILL TO BE KNOWN AS THE "SAINT LAWRENCE SEAWAY AMENDMENTS OF 1969"

Mr. MONDALE. Mr. President, I introduce for appropriate reference for myself and Senators BAYH, BURDICK, GRIFFIN, HART, HARTKE, MCCARTHY, MCGOVERN, NELSON, PERCY, PROXMIRE, SAXBE, SMITH of Illinois, YOUNG of North Dakota, and YOUNG of Ohio a bill to put the St. Lawrence Seaway Development Corporation on a sound financial basis. The bills sponsors include Senators from both parties from all of the States in the upper Midwest.

This bill should not be regarded merely as a regional measure. The seaway has clearly benefited the entire Nation. The Great Lakes-St. Lawrence waterway system permits extremely economical water transport serving one of the world's richest agricultural regions and leading industrial complexes.

In the year before the seaway opened less than 12 million tons of cargo moved through the St. Lawrence. This jumped to over 20 million tons in 1959 and has continued to grow to almost 50 million tons last year. As we will document in testimony, much of this growth in volume represents an increase in the United States share of world trade.

There are only five countries competing in the world wheat market. The seaway has helped to secure a significant portion of that market for U.S. farmers. It has provided an excellent low-cost route for exporting surplus agricultural production. And so it is for other commodities and industrial products, such as automobiles, locomotives, gasoline engines, farm equipment, turbines, earth moving equipment and heavy machinery.

Manufacturers and processors have also found that the seaway provides ef-

ficient and economical access to raw materials from Canada and abroad. Here too, the benefits of increased U.S. production are shared by the entire Nation.

According to a study by the Maritime Administration, the additional income to the Great Lakes area in a single year, as a result of the waterborne commerce, is estimated at $300 million. This represents a return of more than 200 percent per year on the total U.S. investment in the seaway.

The bill differs in a number of ways from legislation which I introduced in the 89th and 90th Congresses with bipartisan sponsorship. Two years ago, while the earlier legislation was pending, we were successful in securing a 4-year moratorium on toll increases on the St. Lawrence Seaway. Two years have passed without the action which is necessary to prevent new proposals for toll increases.

It is abundantly clear that the financial projections underlying the original Seaway Act are unsound. The time to put the seaway on a solid financial footing is now. The United States will soon have to agree with its Canadian partner on new toll rates to be effective in 1971. Accordingly, I urge prompt action on this bill.

The St. Lawrence Seaway Act of 1954 requires that the Corporation pay, out of toll revenues, the entire cost of construction by the year 2009. In addition, toll revenues must cover fully the cost of operation and maintenance.

This self-sustaining requirement is unique for waterways in the United States. The Federal Government has developed and maintained waterways and ports throughout the United States entirely out of general revenues.

For example, the United States has spent over $56 million for the development of the Gulf Intercoastal Waterway and an additional $50 million for operation and maintenance. The same region has been benefited by an expenditure of $62 million for the 76-mile Mississippi River-Gulf Outlet and close to $11 million has already been spent on operation and maintenance. The 50-mile Houston Ship Channel has cost the taxpayers almost $33 million and more than $37 million has been paid for operation and maintenance. The 96-mile Delaware River Channel to Philadelphia was developed at a public cost of $130 million—slightly in excess of the U.S. investment in the St. Lawrence Seaway. Moreover, $140 million from general revenues has gone into operation and maintenance of that channel.

No user charges whatsoever have been levied in the case of any of these facilities. For this reason, there is growing recognition that the financial framework of the St. Lawrence Seaway is unfair and unreasonable and discriminates against the Nation's "fourth seacoast."

This discrimination in financing an essential link in a 2,342-mile waterway into the heartland of America is dramatized by contrasting the Federal transportation aid given to other regions, such as Appalachia. Up to the end of the last fiscal year, the U.S. Government had invested $470 million in developing roads to serve Appalachia. And much more remains to be spent there. I do not begrudge those expenditures and I am sure that my fellow Senators from the Great Lakes area do not either. But we are compelled to wonder why this unequal treatment for the seaway.

The seaway and the Great Lakes have been short-changed in a number of ways. For many years, the Great Lakes have been deprived of Federal assistance under the Merchant Marine Act of 1936. As a result, the lakes have had very little American-flag service. In turn, this has prevented the use of the Great Lakes-St. Lawrence system for the shipping of Government cargo because of statutory requirements for shipping in U.S. bottoms.

Virtually no cargo financed by the Export-Import Bank, AID, or the General Services Administration has moved in recent years through Great Lakes ports. The Department of Defense, which alone exported 30 million tons last year, shipped only 2,000 tons, or less than 1/100 of 1 percent, via Great Lakes ports even though 35 percent of the cargo was made in the Great Lakes area.

Similar discrimination can be documented with respect to rail charges for shipments to Great Lakes ports, as compared to sometimes lower charges to more distant coastal ports. In addition, under section 22 of the Interstate Commerce Act, free or reduced rates are often given for Government cargo moving to coastal ports. But such rates are seldom offered on traffic to Great Lakes ports.

For all of these reasons, I was quite distressed to learn that the President had, unaccountably, omitted the Great Lakes shipping industry from the administration's proposed 10-year program to rebuild the U.S. merchant fleet. I pledge to work for fair treatment for the Great Lakes under any new maritime program.

Perhaps, when the Congress authorized this historic project, there was reason to believe that the seaway could, indeed, bear the unprecedented financial burden which was placed upon it. But this belief has proved unfounded. Since the seaway was opened in 1959, it has not been able to make any significant payments toward reduction of the bonded debt. Although it has made substantial interest payments to the Treasury, it had fallen in arrears $12½ million in interest charges.

Thus, the original debt of $124 million, plus $7 million in interest during the construction period, and $5 million for lock rehabilitation, has grown to a total of $148.3 million. Based on present traffic projections and current toll revenues, the debt of the St. Lawrence Seaway Corporation will not be eliminated by the year 2009. In fact, it will grow to $821 million if corrective action is not taken.

Raising toll revenues is not the solution. Those who propose this easy remedy may be unaware of what the toll rates are. Perhaps, when they think of tolls, they have in mind the $1.75 for an automobile to drive the length of the New Jersey Turnpike. Or perhaps they think of the $5 a truck might pay. How many realize that, for example, a ship named *Andwei*, carrying 22,636 tons of iron and steel, paid a toll of $21,225.28 on October 12, 1969, to use the St. Lawrence Seaway?

The existence of competitive modes of transportation which were once, themselves, heavily subsidized, would draw off the necessary traffic if the tolls were significantly raised. But the existence of the seaway has already served a very useful purpose in keeping the rates on other transportation down.

A principle was laid down in 1954 that transportation facilities should be self-supporting. As already noted, no other waterways have been built or operated in accordance with this principle. Air transport is also subsidized by the Federal Government. Should the seaway be forced into bankruptcy in the interest of preserving this principle?

Under existing law, the current break-even point would be some 56 to 58 million tons of seaway traffic annually. In contrast, only 48 million tons were handled in 1968. Thus, it can be seen that intensive traffic-building efforts would still fall far short of making the seaway self-supporting under present statutory provisions.

Based on existing practice with respect to all other federally assisted waterways and ports, it would be entirely reasonable to propose that the bonded debt of the seaway be written off and that operating and maintenance costs, henceforth, be paid out of general revenues. We do not make that proposal, however. We merely propose to relieve the seaway of the crushing burden of debt service so that it can pay its fair share by fully covering its operating and maintenance costs, maintain reasonable toll levels, and continue to return substantial funds to the Treasury.

The bill would cancel the existing debt of the seaway to the Treasury. It would, however, require the seaway to pay operating and maintenance costs, and payments in lieu of taxes, out of toll revenues. Any money remaining would be returned to the Treasury.

The Corporation has already returned more than $33 million to the Treasury in the form of interest on the original bonded debt. Based on probable toll rates, which will be set by agreement with Canada, and estimated traffic growth, the seaway would have a surplus after paying operating and maintenance costs. Under our bill, and in light of existing Canadian law and international agreement, this surplus would result in payments to the Treasury at approximately the current rate. Such payments, if continued for the next 40 years, would approximate the cost of building the seaway. If this were done, the effect of the bill would be substantially the same as converting the original bonds to an interest-free loan.

It does not seem unreasonable for the United States to pay out of general revenues the approximately $5½ million annual interest cost on the U.S. investment in the seaway. This seems very small in relation to the billions of dollars in Federal revenues which have been paid for the construction and operation of other waterways. Considering the extensive

public interest and national defense value of the seaway, it is clearly appropriate to have general revenues assume this modest portion of seaway expenses.

I wish it were possible for the U.S. Congress to require that seaway tolls be substantially reduced and, eventually, eliminated. But we own only two of the seven locks. Accordingly, I will merely state at this time the objective of the sponsors that everything possible be done by the United States to prevent any toll increase and to move as rapidly as possible toward reduction in tolls.

I suggest that, in hearings on this bill, the committee explore possibilities for reducing toll charges on the seaway. If a formula could be devised to assure such reductions, I would like to see it incorporated in the bill. If not, I would hope the committee would express its intent about toll rates in its report on the bill.

Perhaps enactment of the bill will encourage our Canadian partner to consider changes in the financial structure of its seaway authority. If Canada adopted similar legislation, then surely there could be significant toll reductions.

Mr. President, if action along the lines of this bill is not taken, the seaway will be forced to consider toll increases in the order of 30 to 60 percent in the near future. That would clearly be disastrous.

I believe that the national benefits already realized from the construction of the St. Lawrence Seaway are fully appreciated by my colleagues in the Senate. It has been estimated that seaway traffic could be doubled over the next 20 years, with vastly increased contributions to the security and well-being of America. I hope that the bill will be enacted speedily so that it will be unnecessary for the United States to agree to an increase in tolls, which would seriously jeopardize the seaway's potential.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3137) to amend the act creating the Saint Lawrence Seaway Development Corporation in order to cancel the indebtedness of the Corporation to the United States, introduced by Mr. MONDALE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Saint Lawrence Seaway Amendments of 1969".

SEC. 2. Section 5 of the Act of May 13, 1954, creating the Saint Lawrence Seaway Development Corporation (33 U.S.C. 985) is amended to read as follows:

"CANCELLATION OF INDEBTEDNESS"

"SEC. 5. Effective as of the date of enactment of the Saint Lawrence Seaway Amendments of 1969 all indebtedness of the Corporation to the United States pursuant to this section prior to such Amendments is cancelled subject to the condition that the Corporation shall pay annually into the Treasury of the United States any revenues determined by the Corporation to be in excess of those needed for operating and maintaining the works under the administration of the Corporation, including administrative costs and payments in lieu of taxes."

SEC. 3. Section 12(b)(4) of the Act of May 13, 1954 (33 U.S.C. 988(b)(4)) is amended by striking out "depreciation, payment of interest on the obligations of the Corporation, and"

SEC. 4. Section (b)(5) of the Act of May 13, 1954 (33 U.S.C. 988(b)(5)) is amended to read as follows:

"(5) That for the purpose of any such negotiations for the division of any tolls due consideration shall be given to the total investment of the United States in the Seaway project."

ADDITIONAL COSPONSORS OF BILLS AND A JOINT RESOLUTION

S. 2983

Mr. CURTIS. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Nebraska (Mr. HRUSKA) and the Senator from South Dakota (Mr. MUNDT) be added as cosponsors of S. 2983, to amend the Federal Meat Inspection Act to give any State an additional year to develop and enforce an effective inspection program for meat and meat food products that are distributed wholly within such State, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3068

Mr. McGOVERN. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Minnesota (Mr. MCCARTHY) and the Senator from Ohio (Mr. YOUNG), be added as cosponsors of S. 3068, the Agricultural Stabilization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 163

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Vermont (Mr. PROUTY) be added as a cosponsor of Senate Joint Resolution 163, to supplement the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for carrying out programs and projects, and for payments to State educational agencies and local educational agencies, institutions of higher education, and other educational agencies and organizations, based upon appropriation levels as provided in H.R. 13111 which passed the House of Representatives July 31, 1969, and entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF A CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 39

Mr. McGOVERN. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from New York (Mr. GOODELL) be added as a cosponsor of Senate Concurrent Resolution 39, relating to the withdrawal of U.S. forces from Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969—AMENDMENT

AMENDMENT NO. 277

Mr. DOMINICK submitted an amendment, intended to be proposed by him, to the bill (S. 2218) to amend the Elementary and Secondary Education Act of 1965 and related acts, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON JUDICIAL ETHICS AND FINANCIAL DISCLOSURE

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the further consideration of S. 1506, 1507, 1509, 1510, 1511, 1512, 1513, 1514, 1515, and 1516. The hearings are designed to review the activities of the Judicial Conference of the United States in the sensitive areas of judicial ethics and financial disclosure to which these bills are related.

The hearings will be held on November 24 and December 8, 1969. The hearings on November 24 will begin at 11 a.m. in room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. HRUSKA. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Lloyd H. Grimm, of Nebraska, to be U.S. marshal for the district of Nebraska for the term of 4 years, vice D. Clive Short.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, November 19, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

WE MUST ACT NOW IF THE BIG THICKET IS TO BE SAVED

Mr. YARBOROUGH. Mr. President, on October 15, 1969, the Fort Worth Star-Telegram published a thoughtful and penetrating letter written by Mr. B. W. Hallmon, of Dallas, Tex. Mr. Hallmon's letter correctly points out the danger that confronts the scenic Big Thicket area of southeast Texas.