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(c) Section 4181 of the Revised Statutes (46 U.S.C. 73).

(d) Section 4331 of the Revised Statutes (46 U.S.C. 273).

(e) Section 2 of the Act of March 2, 1895 (ch. 173, 28 Stat. 743; 46 U.S.C. 78).

(f) Section 4 of the Act of March 2, 1895 (ch. 173, 28 Stat. 743), as amended (46 U.S.C. 79).

SEC. 3. This Act shall take effect upon the expiration of ninety days after the date of its enactment.

Mr. ELLENDER. Mr. President, may we have an explanation of S. 2142?

Mr. MANSFIELD. Mr. President, the bill was introduced at the request of the Secretary of the Treasury. The legislation is identical to that introduced at the Treasury Department's request in the 88th Congress, S. 2793, which was not acted upon because it was submitted late in the session. A hearing was held on S. 2142 on August 6, 1965, by the Merchant Marine and Fisheries Subcommittee. Favorable testimony was received by representatives from the Treasury Department. No opposition has been expressed to the legislation.

Under the present law, vessels, regardless of their size, must be measured before the vessel may be registered or documented. The measurement of vessels is a responsibility of the Bureau of Customs and involves a rather intricate system of tonnage computation based on detailed and time-consuming physical measurement of the hull and deck structure. The bill would permit the substitution at the owner's option of a simplified method of admeasurement for small pleasure craft. The Treasury Department estimated that formal admeasurement of pleasure vessels, under the present law, takes an average of 7½ hours of an admeasurer's time. Under the simplified admeasurement requirements, this time will be reduced to less than 1½ hours a vessel. Based on a conservative estimate of employing the simplified admeasurement principle in the documentation of 1,200 pleasure craft a year, the Department anticipates an annual savings to the Government of approximately \$45,000.

Mr. ELLENDER. As I understand, the bill deals merely with the measurement of vessels and has nothing to do with licensing.

Mr. MANSFIELD. The Senator is correct. These bills have been considered thoroughly by the distinguished Senator from Delaware [Mr. WILLIAMS].

The VICE PRESIDENT. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2142) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 677), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### PURPOSE OF THE BILL

The purpose of this bill, S. 2142, is to simplify the admeasurement of small vessels for the purpose of expediting documentation.

#### LEGISLATIVE BACKGROUND

The bill was introduced at the request of the Secretary of the Treasury. The legislation is identical to that introduced at the Treasury Department's request in the 88th Congress, S. 2793, which was not acted upon because it was submitted late in the session. A hearing was held on S. 2142 on August 6, 1965, by the Merchant Marine and Fisheries Subcommittee. Favorable testimony was received by representatives from the Treasury Department. No opposition has been expressed to the legislation.

#### GENERAL STATEMENT

Under the present law, vessels, regardless of their size, must be measured before the vessel may be registered or documented. The measurement of vessels is a responsibility of the Bureau of Customs and involves a rather intricate system of tonnage computation based on detailed and time-consuming physical measurement of the hull and deck structure. The bill would permit the substitution at the owner's option of a simplified method of admeasurement for small pleasure craft. The Treasury Department estimated that formal admeasurement of pleasure vessels, under the present law, takes an average of 7½ hours of an admeasurer's time. Under the simplified admeasurement requirements, this time will be reduced to less than 1½ hours a vessel. Based on a conservative estimate of employing the simplified admeasurement principle in the documentation of 1,200 pleasure craft a year, the Department anticipates an annual savings to the Government of approximately \$45,000. In addition to saving the Government money, the enactment of the bill will speed up the documentation of small vessels freeing Treasury Department personnel for faster processing of the admeasurement of commercial vessels and reduce the cost of documentation to small pleasure craft owners.

The committee amended the legislation to delete sections 2, 3, and 4. The reason for these deletions was that identical changes in the law are proposed in S. 906, a bill to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, which has also been favorably reported by the committee.

#### ANALYSIS

Subsection 1(a) provides for the admeasurement of vessels generally, permits a consolidation of the pertinent provisions of 46 U.S.C. 71, 73, and provides that a vessel need not be readmeasured to obtain another document unless it is one assigned a formula tonnage which is to be documented for use other than exclusively for pleasure.

Subsection 1(b) provides for the admeasurement of pleasure vessels by means of assigning tonnage based on a formula. This subsection also preserves to the owner the right to choose formal admeasurement under subsection 1(c).

Subsection 1(c) provides for the admeasurement of vessels now or henceforth to be used for other than pleasure purposes, and of pleasure vessels whose owners so choose, by the procedure for formal admeasurement heretofore applicable.

Subsection 1(d) adds a new provision to existing law so as to provide for tonnage adjustments in accordance with existing administrative practice.

Subsection 1(e) gives the owner of a vessel which has already been formally admeas-

ured the option of retaining his present tonnage or of requesting a formula tonnage assignment if his vessel is a pleasure vessel. Thus any change in the tonnage of existing vessels will depend on the owners' option.

Subsection 1(f) grants regulatory authority to the Secretary superseding the authority formerly contained in section 4 of the act of March 2, 1895 (46 U.S.C. 79), which is repealed in subsection 5(f).

Section 2 eliminates the statutory prescription for the form and execution of a certificate of admeasurement and substitutes authority in the Secretary of the Treasury to prescribe how and by whom evidence of admeasurement shall be given.

Section 3 gives the Secretary of the Treasury authority to eliminate unnecessary admeasurement data from the vessel document. This is particularly necessary in the case of vessels to be covered by formula admeasurement, which will use dimensions more readily ascertainable by owners and builders than register dimensions. This overrides specifications in 46 U.S.C. 25, 259, as to dimensions to be shown in vessel documents.

Section 4 restates at the beginning of 46 U.S.C. 77 the location of the "tonnage deck" and the requirement that measurements be taken in feet and decimal fractions of feet, both from 46 U.S.C. 74, as it stood before amendment by section 3.

Section 5 repeals those parts of existing law superseded by the bill. They are:

(a) 46 U.S.C. 76—Admeasurement limited to documented vessels or others specially provided for. Covered by section 1.

(b) 46 U.S.C. 77—Second and third paragraphs and first sentence of last paragraph following paragraph (1)—Statutory requirements for specific admeasurement data on vessel document repealed to permit regulation by Secretary under section 3.

(c) 46 U.S.C. 73—Provision for admeasurement of recorded vessels. Covered by section 1.

(d) 46 U.S.C. 273—Authority for admeasurement of 5 to 20 net ton licensed vessels superseded by section 1.

(e) 46 U.S.C. 78—Provisions for readmeasurement required by 1895 act. Now obsolete.

(f) 46 U.S. 79—Existing regulatory authority superseded by subsection 1(f).

Section 6 provides for an effective date 90 days after enactment.

While it is certain that adoption of the bill would result in substantial savings of admeasurers' time, it is impossible to project the budgetary effect with any precision.

#### THE ST. CROIX NATIONAL SCENIC RIVERWAY

The Senate proceeded to consider the bill (S. 897) to provide for the establishment of the St. Croix National Scenic Waterway in the States of Minnesota and Wisconsin, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 12, after the word "Scenic," to strike out "Waterway" and insert "Riverway"; at the beginning of line 13, to insert "The boundaries of the Saint Croix National Scenic Riverway shall be as generally depicted on map numbered NRS-STC-7100-C, revised July 15, 1965, in seven sheets, and entitled 'Proposed Saint Croix National Scenic Riverway Preliminary Boundary Plan'. The Secretary may thereafter revise such boundaries from time to time, but the acquired lands and waters or interests therein within the revised boundaries may not exceed

the limits mentioned in subsection (b) of this section."; in line 24, after the word "Scenic," to strike out "Waterway" and insert "Riverway"; at the top of page 3, to strike out:

(1) Along the lake created by the dam on the Saint Croix River near Taylors Falls, Minnesota, the Secretary may acquire not more than six hundred and forty acres which may include not to exceed two miles of lake frontage;

At the beginning of line 6, to strike out "(2)" and insert "(1)"; in line 10, after the word "than," to strike out "three hundred and twenty" and insert "four hundred"; in the same line, after the word "per," to strike out "m" and insert "mile"; at the beginning of line 12, to strike out "(3)" and insert "(2)"; in the same line, after the word "the", to insert "north end of the lake created by the"; in line 15, after the word "River", to insert "except for lands which are located within an incorporated city, village, or borough as of January 1, 1965."; in line 21, after the word "thousand", to strike out "and six hundred"; in line 22, after the word "of", to insert "lake and"; on page 4, at the beginning of line 3, to strike out "(4)" and insert "(3)"; at the beginning of line 7, to strike out "three hundred and twenty acres per mile, except that not more than six hundred and forty acres which may include not to exceed two miles of lake frontage may be acquired along the lake created by the dam at Trego, Wisconsin." and insert "three hundred and twenty acres per mile: *Provided*, That the Secretary's authority to acquire lands by condemnation along the lake created by the dam at Trego, Wisconsin, with the exception of not more than six hundred and forty acres which may include not to exceed two miles of lake frontage, shall be suspended so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary."; in line 24, after the word "otherwise.", to insert "In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the Saint Croix National Scenic Riverway, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged."; on page 5, line 11, after the word "Minnesota", to insert "and Wisconsin county forest lands"; in line 22, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; on page 6, after line 3, to insert:

(f) The Secretary's authority to acquire improved property by condemnation shall be suspended, notwithstanding the absence of a valid zoning ordinance that is satisfactory to the Secretary, if the owner thereof uses such property solely for noncommercial residential use unchanged from the character of the use as it exists on the date of passage of this Act, and if any modification of the structures on the property is consistent

with the standards regarding acreage, frontage, and setback requirements issued pursuant to section 2 of this Act. Such owner may sell, mortgage, lease, or devise said property, and such suspension shall remain in effect as long as such property is so used.

At the beginning of line 16, to strike out "(f)" and insert "(g)"; in line 18, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; at the beginning of line 21, to strike out "(g)" and insert "(h)"; on page 7, at the beginning of line 14, to strike out "and" and insert "an"; at the beginning of line 18, to strike out "subsection" and insert "Act"; on page 8, line 13, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; in line 15, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; on page 9, line 3, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; at the beginning of line 20, to strike out "Waterway" and insert "Riverway"; in line 24, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; on page 10, line 7, after the word "the", to strike out "recreation area" and insert "scenic riverway"; after line 9, to strike out:

SEC. 4. The Saint Croix National Scenic Waterway shall be administered, protected, and developed in accordance with such statutory authorities as may be available to the Secretary for the conservation and management of natural resources; utilizing to the fullest extent such authorities he finds will best further the purpose of this Act.

And, in lieu thereof, to insert:

SEC. 4. The Saint Croix National Scenic Riverway shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

On page 11, line 5, after the word "Scenic", to strike out "Waterway" and insert "Riverway"; after line 5, to strike out:

SEC. 6. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Saint Croix National Scenic Waterway in accordance with the appropriate laws of the State in which the lands and waters are located to the extent applicable; except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

And, in lieu thereof, to insert:

SEC. 6. Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

After line 20, to strike out:

SEC. 7. The Federal Power Commission shall not have authority under the provisions of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 791a et seq.), to license the building of any dam or other struc-

ture which the Secretary determines would adversely affect the segments of the Saint Croix and Namekagon Rivers included in the Saint Croix National Scenic Waterway unless the application is referred to the Congress and the issuance of the license is expressly authorized by statute. Any application referred to the Congress shall include the objections of the Secretary.

And, in lieu thereof, to insert:

SEC. 7. The Federal Power Commission shall not authorize the construction, operation, or maintenance of any new dam or any project work unrelated to an existing project under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the wild river segment of the Saint Croix National Scenic Waterway except as specifically authorized by the Congress.

On page 12, after line 13, to strike out:

SEC. 8. The Chief of Engineers, Department of the Army, and the Secretary of the Army shall not have authority to issue permits for, or to undertake directly, the construction of any dam, dike, structure, or activity which the Secretary determines would adversely affect the segments of the Saint Croix and Namekagon Rivers included in the Saint Croix National Scenic Waterway unless the proposal is referred to the Congress and is expressly authorized by statute. Any proposal submitted to the Congress shall include the objections of the Secretary of the Interior.

At the beginning of line 24, to change the section number from "9" to "8"; on page 13, line 4, to strike out "Waterway" and insert "Riverway"; at the beginning of line 5, to change the section number from "10" to "9"; and, in line 7, after the word "this", to strike out "Act." and insert "Act, not to exceed \$6,500,000"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) (1) for the purpose of preserving the portion of the Saint Croix River, beginning at the dam near Taylors Falls, Minnesota, and extending upstream to the dam near Gordon, Wisconsin, and its Namekagon tributary in Wisconsin, as a wild river in a primitive condition, or restoring it as nearly as possible to such condition, in order to conserve its unique scenic and other natural values;

(2) for the purpose of promoting broad recreational use and more intensive types of recreational use of the portion of the Saint Croix River downstream from the dam near Taylors Falls, Minnesota, to its confluence with the Mississippi River; and

(3) for the purpose of protecting, developing, and making accessible the nationally significant outdoor recreation resources of such river segments for the use and enjoyment of all of the American people, the Saint Croix National Scenic Riverway is hereby established. The boundaries of the Saint Croix National Scenic Riverway shall be as generally depicted on map numbered NRS-STC-7100-C, revised July 15, 1965, in seven sheets, and entitled "Proposed Saint Croix National Scenic Riverway Preliminary Boundary Plan". The Secretary may thereafter revise such boundaries from time to time, but the acquired lands and waters or interests therein within the revised boundaries may not exceed the limits mentioned in subsection (b) of this section.

(b) The Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire lands and waters or interests therein for the Saint Croix National Scenic Riverway as follows:

(1) From the north end of the lake created by the dam on the Saint Croix River near Taylors Falls, Minnesota, upstream to the

dam near Gordon, Wisconsin, the Secretary may acquire an average of not more than four hundred acres per mile;

(2) From the north end of the lake created by the dam on the Saint Croix River near Taylors Falls, Minnesota, downstream to its confluence with the Mississippi River, except for lands which are located within an incorporated city, village, or borough as of January 1, 1965, the Secretary may acquire an average of not more than three hundred and twenty acres per mile: *Provided*, That the Secretary's authority to acquire lands by condemnation, with the exception of not more than one thousand acres which may include not to exceed five miles of lake and river frontage that the Secretary determines are needed for public access to the river, shall be suspended so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary;

(3) On the Namekagon tributary of the Saint Croix River, from above the dam at Lake Namekagon downstream to its confluence with the Saint Croix River, the Secretary may acquire an average of not more than three hundred and twenty acres per mile: *Provided*, That the Secretary's authority to acquire lands by condemnation along the lake created by the dam at Trego, Wisconsin, with the exception of not more than six hundred and forty acres which may include not to exceed two miles of lake frontage, shall be suspended so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary.

(c) The Secretary may acquire lands and waters or interests therein pursuant to subsection (b) by donation, purchase with donated or appropriated funds, exchange, or otherwise. In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the Saint Croix National Scenic Riverway, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

(d) Lands owned by the States of Wisconsin and Minnesota and Wisconsin county forest lands may be acquired by the Secretary only with the consent of such States, and the Secretary may agree with said States to refrain from exercising any authority to acquire lands not owned by the said States that are within the boundaries of an area administered by them, or proposed for such administration, for such time and upon such terms and conditions as he may deem to be in the best interests of the preservation and development of the area.

(e) The Secretary's authority to acquire lands by condemnation shall be suspended with respect to any lands within the Saint Croix National Scenic Riverway which are located within an incorporated city, village, or borough when such entities shall have in force and applicable to such lands a duly adopted, valid zoning ordinance that is satisfactory to the Secretary.

(f) The Secretary's authority to acquire improved property by condemnation shall be suspended, notwithstanding the absence of a valid zoning ordinance that is satisfactory to the Secretary, if the owner thereof uses such property solely for noncommercial residential use unchanged from the character of the use as it exists on the date of passage of this Act, and if any modification of the structures on the property is consistent with the standards regarding acreage, frontage, and setback requirements issued

pursuant to section 2 of this Act. Such owner may sell, mortgage, lease, or devise said property, and such suspension shall remain in effect as long as such property is so used.

(g) The Secretary shall not exercise any authority to acquire county-owned lands within the Saint Croix National Scenic Riverway as long as the county is following a plan for the management and protection of such lands that is satisfactory to the Secretary.

(h) (1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(2) A right of use and occupancy retained pursuant to this subsection shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(3) The term "improved property", as used in this Act, shall mean a detached, one-family dwelling, the construction of which was begun before January 1, 1965 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Sec. 2. (a) In order to carry out the provisions of section 1, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning ordinances which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the Saint Croix National Scenic Riverway, and (2) promoting the protection and development for purposes of this Act of the land within the Saint Croix National Scenic Riverway by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning ordinance or any amendment to any approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(d) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provisions that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the Saint Croix National Scenic Riverway; or (2) fails to have the effect of providing that the Secre-

tary shall receive notice of any variance granted under, or any exception made to, the application of such ordinance or amendment.

(e) If any property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning ordinance, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in the regulations of the Secretary issued pursuant to this section and in effect at the time of the passage of such ordinance, the suspension of the Secretary's authority to acquire such property by condemnation shall automatically cease.

Sec. 3. Any portion of the Saint Croix National Scenic Riverway which is within a national forest shall be administered in such manner as may be agreed upon by the Secretary of the Interior and the Secretary of Agriculture. Lands owned by an Indian tribe may be included in the Saint Croix National Scenic Riverway with the consent of the Indian tribe involved, and with respect to such lands the Secretary may enter into a cooperative agreement with the Indian tribe to encourage the protection and development of such lands in accordance with the purposes of this Act. The cooperative agreement may provide that the Indian land will be developed and administered in accordance with the laws and rules applicable to the scenic riverway, subject to any limitations specified by the tribal council and approved by the Secretary.

Sec. 4. The Saint Croix National Scenic Riverway shall be administered, protected, and developed in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

Sec. 5. In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the States of Minnesota and Wisconsin, their political subdivisions, and other Federal agencies in formulating and implementing, through agreements or otherwise, comprehensive plans for the use, development, and conservation of the outdoor resources of the Saint Croix National Scenic Riverway.

Sec. 6. Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

Sec. 7. The Federal Power Commission shall not authorize the construction, operation, or maintenance of any new dam or any project work unrelated to an existing project under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the wild river segment of the Saint Croix National Scenic Waterway except as specifically authorized by the Congress.

Sec. 8. The Secretary shall cooperate with the Secretary of Health, Education, and Welfare, and with the appropriate State water pollution control agencies, to prepare and develop agreements for eliminating or diminishing the pollution of waters within the Saint Croix National Scenic Riverway.

Sec. 9. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act, not to exceed \$6,500,000.

Mr. NELSON. Mr. President, I am delighted to have this opportunity to recommend to the Senators the passage of S. 897, the St. Croix National Scenic Riverway bill.

The bill represents the hard work and careful thought of many of us about

the best way to mold into legislation our common concern that action be taken now to preserve for future generations this priceless resource.

The junior Senator from Minnesota [Mr. MONDALE] cosponsor of this bill has worked with imagination and vigor to perfect it.

The St. Croix bill presents a magnificent opportunity to preserve forever this river, one of the most beautiful in the Nation.

Its loveliness is made the more valuable by the fact that it runs within an easy half-hour's drive of the rapidly expanding Twin Cities area. Water-based facilities near large cities are the recreation resource in greatest demand and shortest supply in the Nation.

The need to protect such magnificent resources as the St. Croix demands imaginative legislation.

The St. Croix bill, while it does not include any new or untested techniques, does represent a significant advance in Federal, State, and local cooperation for conservation.

The bill, in effect, will supply a Federal umbrella over this interstate river under which local agencies and authorities can cooperate in the development and preservation of the area.

The most concise way to explain the bill is, perhaps, to quote from the unanimous Interior Committee report. I ask unanimous consent that excerpts from that report appear in the RECORD at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

#### BACKGROUND

The Outdoor Recreation Resources Review Commission, in its landmark report urging a great expansion of our Nation's outdoor recreational facilities to meet the threefold increase in outdoor recreation activities by the year 2000 pointed out that the facilities in shortest supply and greatest demand were water-based recreation areas near centers of population. Among its specific recommendations were the following:

Immediate action should be taken by Federal, State, and local governments to reserve or acquire additional waters, beach, and shoreline areas, particularly near centers of population.

Certain rivers of unusual scenic, esthetic, and recreational values should be allowed to remain in their free-flowing state and natural setting without manmade alterations.

The Federal Government should assist in meeting interstate demand situations.

Pursuant to these and other recommendations, the Congress has authorized the establishment of the Cape Cod National Seashore on the Atlantic coast, the Point Reyes National Seashore on the Pacific coast, the Padre Island National Seashore on the Gulf of Mexico, and the Ozark National Scenic Riverways. Other areas will be needed if the demands of the next 35 years are to be met, particularly in the north-central census region where, according to the ORRRC report the greatest demand for outdoor recreation facilities in the Nation will be found by 1970.

#### THE ST. CROIX AND NAMEKAGON RIVERS

The St. Croix River, running south to the Mississippi River at Prescott, Wis., marks the Minnesota-Wisconsin border for some hundred miles.

The upper St. Croix and its Wisconsin tributary, the Namekagon, have been carefully studied by the wild river study team and recommended for inclusion in the Na-

tional Wild River System. These spectacularly beautiful streams run through mixed conifer-hardwood forests interspersed with small swamps and farm openings.

White-tailed deer abound, bear, game birds, and furbearing animals are at hand.

Fly fishing for small mouth black bass has given the St. Croix River a national reputation. Trout fishing on the upper Namekagon is considered excellent. Unusual diversity is provided by the occurrence of large muskellunge sturgeon, channel catfish, wall-eyed pike, northern pike, rock bass, and perch.

For some 70 miles above the dam at Taylors Falls, Minn., the Northern States Power Co. has owned the land on both sides of the river for 50 years and has maintained it in a primitive condition.

The lower St. Croix has been described as the last large clean river near a major population center in the Midwest. It runs within an easy half-hour's drive of the burgeoning 1.7 million population Twin Cities area. A broad, a beautiful river, its level maintained by lock and dam No. 3 on the Mississippi, the lower St. Croix is already one of the most popular boating waters in the Nation.

#### THE ST. CROIX NATIONAL SCENIC RIVERWAY PROPOSAL

S. 897, herein recommended by the committee, would incorporate not more than 85,000 acres of land and 21,200 acres of water, including 152 miles of the St. Croix River and 90 miles of the Namekagon River, into the St. Croix National Scenic Riverway. The riverway would be a narrow strip about one-quarter mile wide, along the banks of the rivers. The boundaries are indicated on Interior Department map NRS-STC 7100-C. Of the total acreage, 15,000 is already in State park and county forest land.

Aside from 31,270 acres of the Northern States Power Co. land, fee acquisition as now contemplated would be held to less than 3,000 acres in the entire riverway. The Northern States Power Co. has indicated its willingness to sell.

On privately held land along the upper St. Croix and Namekagon Rivers the Secretary of the Interior would acquire scenic and recreation easements, not disturbing the existing use patterns. On the lower St. Croix, the same recreational zoning technique that has worked well at the Cape Cod National Seashore would be utilized. In the event that zoning does not meet the Secretary's standards, the acquisition of easements rather than the purchase is intended.

Plans call for six access points on the lower St. Croix and eight sites on the upper St. Croix and Namekagon. On the lower St. Croix these sites would affect some 635 acres, not over 20 ownerships and not more than 10 improvements. On the upper riverway, exclusive of the Northern States Power Co. holdings, 1,173 acres, 20 ownerships, and 9 improvements are involved. On the upper St. Croix and Namekagon scenic easements would be purchased on 18,200 acres. There would be a total of 16,825 acres protected by zoning.

The bill provides that land within incorporated areas on the lower St. Croix are exempt from the riverway entirely.

The bill also provides that owners of improved property in areas to be acquired may retain the right of use and occupancy for noncommercial residential purposes until the death of the owner or spouse, or the death of the survivor or either of them, or else a 25-year transferrable right to use and occupancy.

On the lower St. Croix, where the Secretary of the Interior's right to condemn is suspended as long as zoning ordinances satisfactory to him are enforced, private residential, noncommercial property owners are further protected from condemnation in the event that zoning ordinances are either not

in effect or not enforced. The Secretary is precluded from acquiring their property by condemnation as long as they use it in a manner in keeping with his standards including regulations covering new construction, acreage and setbacks.

State land within the riverway would not be acquired by the Secretary of the Interior without the consent of the State involved, and the Secretary may agree not to acquire any land which the State indicates it plans to acquire.

Hunting and fishing shall be permitted in the area in accordance with the laws of Minnesota and Wisconsin.

The bill includes provisions to facilitate cooperative planning for the recreational and conservation development of the riverway between all levels of government involved.

#### COST

The cost of acquisition of lands over a 5-year period for the St. Croix National Scenic Riverway is estimated at \$3,450,000. Development costs are estimated at \$3,500,000 for a total of \$6,950,000. Operating costs in the fifth year are estimated at \$230,030. Since these estimates were made the number of access sites to be acquired in fee has been reduced by four and it is expected that the \$6,500,000 authorized by the committee for acquisition and development will be adequate.

Mr. NELSON. Mr. President, a final word about zoning. There has been some misunderstanding that zoning is aimed at prohibiting the economic development of the lower St. Croix. This is absolutely false.

First of all, land lying within incorporated areas on the lower St. Croix would be excluded from the riverway entirely.

Second, the riverway would extend only about a quarter mile back from the bank of the river.

Finally, and most important economic potential of recreation has been conclusively demonstrated. For the entire St. Croix area, the beauty of the river is the chief capital for this growth industry.

The St. Croix National Scenic Riverway represents another step forward in our efforts to improve this Nation's black record in conservation.

It will, if approved, add luster to the already fine record compiled by this Congress in the field of conservation. I wholeheartedly recommend it to the Senators.

Mr. MONDALE. Mr. President, during the last 7 months, following the introduction of the St. Croix national scenic riverway bill on January 29, public and private interest in preserving the historic character and scenic beauty of the river has been very encouraging to me.

I am pleased to announce that the bill has been reported recently by the Senate Committee on Interior and Insular Affairs with a favorable recommendation. We have worked long, hard hours on the bill trying to improve it, and trying to take into account all the reasonable and legitimate interests affected by the bill.

Representative JOSEPH E. KARTH has introduced companion legislation, similar in purpose and scope to the bill we passed through committee. He will work for House backing.

The bill, as reported from the committee, seeks to protect the entire St. Croix-Namekagon River system. But it

does so by two wholly different methods. Along the river north of Taylors Falls, the scenic and natural beauty will be protected by treating it as a "wild river," and by acquiring land and scenic easements from private property owners.

South of Taylors Falls, however, the wide range of governmental units and private property owners required different concepts. The closest possible cooperation between the Federal Government and the local governments was made necessary, and therefore an entirely new principle of creative federalism was used. Local zoning will protect the river, with Federal standby enforcement authority, to guard both scenic and recreational values.

Since the provisions of the bill affecting the lower river represent a new approach to natural resource conservation, this report will explain in brief fashion how the bill will operate in the lower St. Croix Valley.

The St. Croix River is the last major unpolluted river in the United States today. Its beauty is without question. It is a clean, large, swiftflowing waterway—within easy access to thousands of Minnesotans. But if we are to stop the flood of pollution and destruction of this river, we need the cooperation and assistance of the Federal Government. This is first of all an interstate waterway, lying between Minnesota and Wisconsin. There are dozens of local governmental units along its shores. It would be difficult for all of them, on both sides of the river, to agree on a course of action to follow.

So the Federal umbrella of protective zoning, providing local bodies with backup authority to keep the river safe, will guarantee that we protect this magnificent natural heritage of ours.

We used to fight our battles against floods, destruction of topsoil, and decimation of forests. We still face these threats. Our new challenges are even more serious, involving possible loss of those common resources that are the irreplaceable heritage of tomorrow's America—the air, the water, and the land itself.

It is up to each one of us to do our part—because only together can we prevent this from happening in Minnesota and in the St. Croix Valley. No one person can be blamed for the death of our rivers, lakes, and natural resources, and so we must all act together.

But, as every person insists upon his economic right to waste a tiny portion of our resources, and cries for conservation elsewhere, the American people are discarding their birthright—committing collective murder of our natural wealth and beauty.

We cannot allow the St. Croix to go the way of our other polluted, detergent-foam-filled, sewage-filled rivers in the United States simply because we could not see that we are losing each little skirmish to save the St. Croix, and before long, it will be too late.

We have seen the death of rivers by small inches elsewhere. The mighty Hudson River in New York is called an open, running sewer. Lake Erie, fed by the chemical and industrial wastes, of Ohio, Pennsylvania, and New York, is

choking and is almost a dead lake, in which vegetation and fish life would be impossible.

If this were only a question of preserving some small portion of the great natural riches this country once had, it would be reason enough. But we are beginning to discover facts explaining the dollar value of green space, trees, and clean rivers and lakes. A special commission told the President that outdoor recreation is a business bringing in \$20 billion annually—and the end is nowhere in sight. We are now realizing that recreation is going to be the single biggest dollar-earner in many water-based areas of our Nation, holding out more hope than any amount of short-range industrial development.

In the face of ever-increasing urban sprawl, in the face of the oppressive nature of concrete, steel, and auto exhaust gases in our cities, we need more than ever a place of refuge and natural beauty, removed from the clamor of the towns and cities. We must move now to protect that river.

Many people have asked how zoning will actually work under the bill. In areas within the riverway, the Secretary of the Interior will consult with State and local officials to determine what standards of protection are necessary to preserve that part of the river and its values.

Standards will then be established to prohibit new commercial and industrial expansion and uses outside cities and villages where such would be inconsistent with the beauty of character of the riverway. Standards would also establish agreement on setback, frontage, and acreage limitations for new construction of residences and other buildings.

Then, any localities that passed zoning ordinances doing these things would be exempt from regulation, in the same manner as are cities, villages, and individual residences.

If the towns or counties failed to pass ordinances or granted variances to the detriment of the river, the Secretary could then, and only then, buy such lands or interests in land as might be necessary to keep the river in its present beautiful and uncluttered state.

Of necessity the bill will demand the closest cooperation between Federal, State and local agencies, and private citizens. The necessity for Federal involvement is, however, clear.

There has been some confusion on the exact effect of the bill, and I think it would be helpful to the residents of the St. Croix Valley and neighboring areas to know what the bill does not do:

First. It does not affect individual homeowners of cottages, cabins, or other dwellings within the riverway as long as: They do not convert their property to commercial or industrial uses, and as long as new residential structures meet the minimum standards for setback and frontage.

Second. It does not wipe out or destroy present business, commerce, or industry. It prevents only new construction or expansion which is inconsistent with the preservation of the riverway.

Third. It has absolutely no effect on the local tax base, or the collection of local taxes. In any event, preservation of land values may cause property values and the tax base to rise.

Fourth. It does not affect any person or business living outside the clearly defined boundaries of the riverway.

Fifth. It does not affect any person or business within the boundaries of incorporated cities or villages.

Sixth. It does not allow unlimited acquisition of public access. In fact, only two such properties will be used. One is an overlook near Bayport, the other an access at Trout Brook.

Seventh. It does not prevent hunting and fishing with the riverway, and this remains within the exclusive authority of the States.

Eighth. It does not deprive the Federal Power Commission of authority in connection with dams and other existing structures.

Ninth. It does not prevent the Corps of Engineers from carrying out their statutory responsibilities and duties.

Tenth. Last of all, it does not allow arbitrary zoning by the Secretary, but depends upon cooperation by local zoning agencies.

The VICE PRESIDENT. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide for the establishment of the Saint Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes."

Mr. NELSON. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which S. 662 was passed.

Mr. MONDALE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### SHIP MORTGAGE BONDS

The Senate proceeded to consider the bill (S. 2118) to clarify sections 9 and 37 of the Shipping Act, 1916, and subsection O(d) of the Ship Mortgage Act, 1920, and for other purposes which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 9 of the Shipping Act, 1916 (46 U.S.C. 808), is amended by inserting a new paragraph between the existing third and fourth paragraphs thereof as follows:

"The issuance, transfer, or assignment of a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, to a person not a citizen of the United States, without the approval of the Secretary of Commerce, is unlawful unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States