

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
FIRST SESSION

VOLUME 113—PART 16

AUGUST 1, 1967, TO AUGUST 9, 1967

(PAGES 20751 TO 22132)

have polluted our rivers . . . and the entrepreneurs who have decimated our beaches? It is these who do violence to the environment where people spend virtually all of their time—an environment that is infinitely more important to far more people than the wilds of Alaska or the treacherous waters of the Colorado River.

Yes, we need to preserve the beauty of nature in remote areas that people must journey to enjoy. But in my opinion the vastly more important need is to preserve the beauty of nature in the environment where people live and work. People should be able to live in surroundings of natural beauty; they should not have to travel hundreds of miles to enjoy nature.

HYDRO IS RENEWABLE ENERGY SOURCE

Those who are interested in conservation might also take note of the fact that the production of electric power by falling water is our only renewable energy source. The failure to build Hualapai Dam or the Rampart Canyon project does not diminish the need for electric power by one kilowatt-hour; the need will remain, and it will be filled by the burning of coal or uranium—both of which are not renewable energy sources, and both of which, unfortunately, add somewhat, at this time, to environmental pollution problems.

Opponents of dam building have somehow gotten the notion that nuclear power has made hydroelectric power obsolete or old fashioned. It is true, of course, that hydroelectric power does not have the capacity to provide all or even a major portion of our energy requirements. But where hydro power can be developed in a feasible manner, it would seem to me to be contrary to the principle of conservation to burn other fuels as a substitute for our only non-polluting, renewable energy resources.

It should also be kept in mind that hydroelectric power projects also are especially valuable in providing more reliable electric service (as was pointed out by FPC in connection with the Northeast blackout of November, 1965), and they will become increasingly valuable for storage of water—at a time when water supplies are becoming ever more critical.

Hydroelectric dam building is far from being obsolete, and I am confident that in time the present trend will be reversed.

Mr. KUCHEL. Mr. President, the bill, in my opinion, will not become the law of this land. But I pledge myself, as a Senator and as a Californian, to stand ready to assist, as best I can, in accomplishing constructive legislation by which the people of Arizona may have more water brought to them and by which the people of the other basin States also may participate in an augmentation program, rather than in a program of dividing scarcities and shortages.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1004) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MAGNUSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the senior Senator from Arizona [Mr. HAYDEN], the patriarch of the Senate, has consistently supported projects that have sought to develop and preserve the Nation's resources. The fact that the project just authorized overwhelmingly by the Senate benefits his own State

merely emphasizes his continuing and abiding interest in natural resources.

Over the years, Senator HAYDEN'S broad and deep understanding of the Nation's resources problems has benefited the Senate time and time again. Whether it was for the improvement of rivers and harbors, for the establishment of parks and recreation facilities, for flood control, or, as here, for the development and utilization of a waterway, Senator HAYDEN has always lent his valuable and tireless efforts and energy to the endeavor. He is to be commended today for another outstanding achievement. Without his splendid support, this measure unquestionably would not have received such favorable and decisive Senate approval. We are most grateful.

Of course, the interests of some of the other affected States were ably represented by the distinguished senior Senator from Colorado [Mr. ALLOTT]. He envisioned and advocated a program of much broader scope—a program which the Senate apparently does not favor at the present time. This in no way reflects upon the high caliber of his presentation or even the merits of the program he seeks. Senator ALLOTT, like Senator HAYDEN, is highly informed about matters of this nature and the Senate always welcomes his views. He is to be commended for the clarity of his argument and for the sincerity of his views—urging them strongly but in no way inhibiting the Senate's efficient disposition of the measure.

The distinguished junior Senator from Arizona [Mr. FANNIN] played a vital role in assuring favorable action. He displayed a deep understanding of all of the issues involved and expressed his interest clearly, concisely, and very persuasively. He too is to be commended for representing so well the people of his State.

The senior Senator from California [Mr. KUCHEL] contributed immensely to the discussion. He also urged his own strong and sincere views but in no way inhibited Senate action. As the ranking minority member of the committee, he, as much as any Member of this body, appreciates the importance of this Nation's resources, their preservation and their proper use. The distinguished chairman of the committee, the junior Senator from Washington [Mr. JACKSON] offered his capable and outstanding talents in the consideration of this measure. He likewise is to be commended for his support and splendid advocacy.

Adding their wisdom to the discussion were the junior Senator from Utah [Mr. MOSS], and the senior Senator from New Mexico [Mr. ANDERSON]. They and many others displayed their ingenuity and initiative in the discussion . . . and we are most grateful. The leadership wishes to commend all Senators for joining to assure final action on this measure today so that we may continue on with the legislative program, disposing of as many major items as possible before the Labor Day recess.

WILD AND SCENIC RIVERS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate pro-

ceed to the consideration of Calendar No. 476, S. 119. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 119) to reserve certain public lands for a national wild rivers system, to provide a procedure for adding additional public and other lands to the system, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Wild and Scenic Rivers Act".

STATEMENT OF POLICY

SEC. 2. (a) The Congress finds that some of the free-flowing rivers of the United States and related adjacent land areas possess outstanding scenic, fish, wildlife, and outdoor recreation values of present and potential benefit to the American people. The Congress also finds that our established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is the policy of Congress to preserve, develop, reclaim, and make accessible for the benefit of all of the American people, selected parts of the Nation's diminishing resource of free-flowing rivers. For this purpose there is hereby established a National Wild and Scenic Rivers System to be composed of (a) the areas designated by this Act or subsequent Acts as "national wild river areas" and "national scenic river areas," and (b) those State or locally administered wild or scenic river areas designated by the Secretary of Interior as part of the system. Areas designated as national "wild" or "scenic" river areas by subsequent Acts of Congress shall be administered in accordance with the provisions of this Act unless the subsequent Acts provide otherwise.

DEFINITION OF WILD RIVER AREA

(b) A wild river area eligible to be included in the System is a stream or section of a stream, tributary, or river—and the related adjacent lands—located in a sparsely populated, natural, and rugged environment where the river is free flowing and unpolluted, or where the river should be restored to such condition, in order to promote sound water conservation, and promote the public use and enjoyment of the scenic, fish, wildlife, and outdoor recreation values.

DEFINITION OF SCENIC RIVER AREA

(c) A scenic river eligible to be included in the System is a stream or section of a stream, tributary, or river—and the related adjacent lands—that is unpolluted and should be left in its pastoral or scenic attractiveness, or that should be restored to such condition, in order to protect, develop, and make accessible its significant national outdoor recreational resources for public use and enjoyment.

NATIONAL WILD RIVERS

SEC. 3. (a) The following rivers, or segments thereof, and related adjacent lands, are hereby designated as "national wild river areas":

(1) Salmon, Middle Fork, Idaho—from its origin to its confluence with the main Salmon River.

(2) Clearwater, Middle Fork Idaho—the Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin.

(3) Rio Grande, New Mexico—the segment extending from the Colorado State line downstream to the State Highway 96 crossing, and the lower four miles of the Red River.

(4) Saint Croix, Minnesota and Wisconsin—the segment between the dam near Taylors Falls, Minnesota, and the dam near Gordon, Wisconsin, and its tributary, the Namekagon, from its confluence upstream with the Saint Croix to the dam near Trego, Wisconsin.

(5) Wolf, Wisconsin—From Langlade-Menominee County Line downstream to Keshena Falls.

(6) Rogue, Oregon—The segment of the river extending from the mouth of Graves Creek downstream to river mile 38, below Flea Creek.

(7) Illinois, Oregon—The segment of the river extending from Briggs Creek downstream to Lawson Creek.

NATIONAL SCENIC RIVERS

(b) The following rivers, or segments thereof, and related, adjacent lands, are hereby designated as "national scenic river areas":

(1) Saint Croix, Wisconsin and Minnesota—downstream from the dam near Taylors Falls, Minnesota, to its confluence with the Mississippi River.

(2) Eleven Point, Missouri—the segment of the river extending downstream from Thomasville to State Highway 142.

(3) Rogue, Oregon—the segment of the river extending from the mouth of the Applegate River, downstream to the mouth of Graves Creek; and that segment of the river extending from river mile 38 below Flea Creek downstream to the Lobster Creek Bridge.

(4) Illinois, Oregon—that segment of the river extending from the mouth of Deer Creek, downstream to Briggs Creek; and that segment of the river extending from Lawson Creek downstream to its confluence with the Rogue.

(5) Namekagon, Wisconsin—that section of the river extending from Lake Namekagon downstream to the dam near Trego, Wisconsin.

FEDERAL-STATE PLANNING FOR ADDITIONS TO SYSTEM

SEC. 4. (a) The Secretary of the Interior, and the Secretary of Agriculture where national forest lands are involved, after consultation with interested Federal agencies, are directed to consult with the Governors and officials of the States in which the rivers listed below are located to ascertain whether a joint Federal-State plan is feasible and desirable in the public interest to conserve segments of these rivers. The appropriate Secretary shall submit to the President within five years from the date of enactment of this Act his recommendations for inclusion of any or all of them in the National Wild and Scenic Rivers System, and the President shall submit to the Congress his recommendations for such legislation as he deems appropriate:

(1) Salmon, Idaho—from the town of North Fork downstream to its confluence with the Snake River.

(2) Buffalo, Tennessee—the entire river from its beginning in Lawrence County to its confluence with the Duck River.

(3) Big Fork, Minnesota—the entire river.

(4) Hudson, New York—the segment of the main stem extending from its origin in the Adirondack Park downstream to the vicinity of the town of Luzerne; Boreas River from its mouth to Durgin Brook; Indian

River from its mouth to Abanakee Dam; and Cedar River from its mouth to Cedar River flow.

(5) Missouri, Montana—the segment upstream from Fort Peck Reservoir toward the town of Fort Benton.

(6) Niobrara, Nebraska—the mainstem segment lying between the confluence of Antelope Creek downstream to the headwaters of the proposed Norden Reservoir east of the town of Valentine, and the lower eight miles of its Snake River tributary.

(7) Skagit, Washington—the Skagit from the town of Mount Vernon upstream to Gorge powerhouse near the town of Newhalem; the Cascade River from its mouth to the confluence of the North and South Forks; the Sauk from its mouth to Elliott Creek; and the Suattle from its mouth to Milk Creek.

(8) Susquehanna, New York and Pennsylvania—the segment of the Susquehanna River from a dam at Cooperstown, New York, downstream to the town of Pittston, Pennsylvania.

(9) Suwannee, Georgia and Florida—the entire river from its source in the Okefenokee Swamp in Georgia to the gulf, and the outlying Ichetucknee Springs, Florida.

(10) Youghiogheny, Maryland and Pennsylvania—from Oakland, Maryland, to the Youghiogheny Reservoir, and from the Youghiogheny Dam downstream to the town of Connellsville, Pennsylvania.

(11) Little Miami, Ohio—the segment of the Little Miami River in Clark, Greene, Warren, and Clermont Counties from a point in the vicinity of Clifton, Ohio, downstream to a point in the vicinity of Morrow, Ohio.

(12) Little Beaver, Ohio—the segment of the North and Middle Forks of the Little Beaver River in Columbiana County, from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio.

(13) Maumee, Ohio—from Perrysburg, Ohio, to Fort Wayne, Indiana.

(14) Pine Creek, Pennsylvania—the segment from Ansonia, Pennsylvania, to Waterville, Pennsylvania.

(15) Delaware, Pennsylvania and New York—the segment from Hancock, New York, to Matamoras, Pennsylvania.

(16) Allegheny, Pennsylvania—the segment from the Allegheny Reservoir at Kinzua, Pennsylvania, to Tionesta, Pennsylvania, and then from Franklin, Pennsylvania, to East Brady, Pennsylvania.

(17) Clarion, Pennsylvania—the segment from where it enters the Allegheny River to Ridgway, Pennsylvania.

(18) West Branch Susquehanna, Pennsylvania—the segment of the West Branch Susquehanna from Clearfield, Pennsylvania, to Lock Haven, Pennsylvania.

(19) Chattooga, North Carolina, South Carolina and Georgia—the entire river.

(20) Flathead, Montana—the North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir.

(21) Gasconade, Missouri—the entire river.

(22) Guadalupe, Texas—the entire river.

(23) Klamath, California—the segment from Scott River downstream to a point two miles upstream from United States 101 crossing.

(24) Penobscot, Maine—its east and west branches.

(25) Pere Marquette, Michigan—the entire river.

(26) Upper Iowa, Iowa—the entire river.

(27) Feather, California—the Middle Fork.

(b) In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild or scenic river areas, and all river basin and project plan reports sub-

mitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild or scenic river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternatives uses of the water and related land resources involved.

(c) The Secretary of the Interior and the Secretary of Agriculture shall also submit, in accordance with the procedures and requirements of this section, to the President from time to time their recommendations for inclusion in the National Wild and Scenic Rivers System of any other river or segment thereof. The President shall submit to the Congress his recommendations for such legislation as he deems appropriate.

(d) Recommendations made under this section shall be developed in consultation with the States, those Federal agencies which normally participate in the development of recreation plans and comprehensive river basin plans, any commissions established pursuant to interstate compacts the assigned responsibilities of which would be affected, commission or other bodies which may be established for the purpose of developing a comprehensive plan for the river basin within which the contemplated national wild or scenic river area would be located, and the public through local public hearings. Each such recommendation shall be accompanied by (1) expressions of any views which the agencies and States consulted pursuant to the foregoing may submit: *Provided*, That no river or portion of any river shall be added to the National Wild and Scenic Rivers System subsequent to enactment of this Act until the close of the next full session of the State legislature, or legislatures in case more than one State is involved, which begins following the submission of any recommendation to the President with respect to such addition as herein provided, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal or Federal and State programs in the basin, and (3) in the absence of such plan, a statement indicating the probable effect of the recommended action on alternative beneficial uses of the resources of the basin.

REPORT ON LAND ACQUISITION

(e) Any recommendation for an addition to the National Wild and Scenic Rivers System shall indicate the extent to which land will need to be acquired by the State and by the Federal Government, and the extent to which the acquisition of scenic easements or other interests in land may be an adequate substitute for the acquisition of a fee title.

ADMINISTRATION OF SYSTEM

SEC. 5. (a) The Secretary charged with the administration of each national wild or scenic river area, or portion thereof, shall establish detailed boundaries for such areas, within the limits set by this Act. Such boundaries may be revised from time to time, but may not include on both sides of the stream, tributary, or river a total of more than three hundred and twenty acres per mile. The appropriate Secretary shall publish notice of detailed boundaries in the Federal Register, together with appropriate descriptions, and shall make such official boundary description available to the public through appropriate Federal, State, and local agencies.

(b) National wild and scenic river areas designated by Acts of Congress shall be administered by the Secretary of the Interior, except that when the national wild or scenic river area is wholly within, partly within, or closely adjacent to, a national forest such area shall be administered by the Secretary of Agriculture unless it is also partly within,

or closely adjacent to an area administered by the Secretary of the Interior, in which event administration over the river area shall be determined as agreed upon by the Secretary of the Interior and the Secretary of Agriculture, or as directed by the President. The Secretary charged with the administration of a national wild or scenic river area or portion thereof, may enter into written cooperative agreements with the Governor of the State, or other appropriate local official, for State or local governmental participation in the administration of the area. The States shall be encouraged to cooperate in the planning and administration of such areas where they include State-owned lands. Any Federal land located within a national wild or scenic river area may, with the consent of the agency having jurisdiction thereof, be transferred to the jurisdiction of the appropriate Secretary or State for administration as part of the area.

(c) Each component of the National Wild and Scenic Rivers System shall be administered in such manner as to protect and enhance the values which caused it to be included in said System, without prohibiting the construction of roads or bridges, timber harvesting and livestock grazing, and other uses that do not substantially interfere with public use and enjoyment of these values. In such administration, priority emphasis shall be given to protecting its esthetic, scenic, historic, fish and wildlife, archeologic, scientific, and recreational features, based on the special attributes of the area. In order to accomplish these purposes, the Secretary of the Interior may utilize any authority he has under other provisions of law with respect to rights-of-way, easements, and enforcement of rules and regulations.

The Secretary of Agriculture, in administering a national wild or scenic river area, shall utilize the statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act.

(d) Within the exterior boundaries of a national wild or scenic river area, the Secretary of the Interior or the Secretary of Agriculture may acquire lands or interests therein by donation, purchase with donated or appropriated funds, exchange, or otherwise: *Provided*, That on both sides of the stream, tributary, or river a total of not more than one hundred acres per mile may be acquired in fee under authority of this Act, except that the appropriate Secretary may acquire the portion of any individual tract of land which lies outside of the boundaries of a national wild or scenic river area, with the consent of the owner, in order to avoid the payment of severance costs: *Provided further*, That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 50 per centum or more of the acreage within the entire national wild or scenic river area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Lands owned by a State may be acquired only with the consent of the owner. Lands owned by an Indian tribe may be acquired only with the consent of the tribal governing body. In the exercise of his exchange authority, the Secretary of the Interior may accept title to any non-Federal property within a national wild or scenic river area, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State in which the river or segment thereof runs, except lands within the national park system, the national wildlife refuge system, or re-vested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, which he classifies as suitable for ex-

change or other disposal. The properties so exchanged shall be of approximately equal fair market value. If they are not of approximately equal fair market value, the Secretary of the Interior shall accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands. Any such lands acquired by the Secretary of Agriculture within or adjacent to a national forest shall upon acquisition become national forest lands. Money appropriated for Federal or State purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this Act.

(e) As used in this Act the term "scenic easement" means the right to control the use of land (including the air space above such land) for the purpose of protecting the scenic view from the river, but such control shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement.

(f) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild or scenic river area, if such lands are located within any incorporated city, village, or borough when such entities shall have in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act.

(g) Neither the Secretary of the Interior nor the Secretary of Agriculture may exercise any authority to acquire county-owned lands within any national wild or scenic river area without the consent of said county as long as the county is following a plan for the management, zoning, and protection of such lands that conforms with the purposes of this Act.

(h) (1) In order to carry out the provisions of subsections (f) and (g), the appropriate Secretary shall issue guidelines, specifying standards for local zoning ordinances, which are consistent with the purposes of this Act.

(2) The standards specified in such guidelines shall have the object of (A) prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and (B) the protection of the bank lands by means of acreage, frontage, and setback requirements on development.

(1) (1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition, may retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential 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 appropriate 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 whenever the Secretary is given reasonable cause to find that such use and occupancy is being exercised in a manner which conflicts with the purposes of this Act. In the event of such a finding, the Secretary shall tender to the holder of that right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination. Such right of use or occupancy shall terminate by operation of law upon tender of the fair market price.

(3) The term "improved property", as used in this Act, shall mean a detached, one-

family dwelling (hereinafter referred to as "dwelling"), the construction of which was begun before January 1, 1967, 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 appropriate Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structure accessory to the dwelling which are situated on the land so designated.

(j) No lands, waters, or interests therein other than scenic easements may be administered under this Act as a part of the National Wild and Scenic Rivers System if such lands, waters, or interests were acquired by a State under its power of condemnation for the specific purpose of making such lands, water, or interests therein a part of the National Wild and Scenic Rivers System under this Act.

SPECIAL PROVISIONS

SEC. 6. (a) Except as specifically authorized by the Congress, the Federal Power Commission shall not authorize the construction, operation, or maintenance in any national wild or scenic river area of any dam or other project work under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.): *Provided*, That the provisions of that Act shall continue to apply to any project, as defined in that Act, already constructed or under license to be constructed.

(b) Except as specifically authorized by the Congress, the Federal Power Commission shall not authorize the construction, operation, or maintenance of any dam or other project work under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.); on any river, or segment thereof, listed in section 4, subsection (a), during the five-year period following enactment of this Act unless, prior to the expiration of said period, the Secretary of the Interior or the Secretary of Agriculture, on the basis of study, concludes that such river should not be included in the National Wild and Scenic Rivers System and publishes notice to that effect in the Federal Register: *Provided*, That the provisions of that Act shall continue to apply to any project, as defined in that Act, already constructed or under license to be constructed.

(c) Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws within the National Wild and Scenic Rivers System, except that all mining claims located after the effective date of this Act shall be subject to such regulations as the Secretary of the Interior, or the Secretary of Agriculture in the case of national forest lands, may prescribe to effectuate the purposes of this Act. Any patent issued shall recite this limitation. All such regulations shall provide among other things for safeguards against pollution of the river.

(d) Any portion of a national wild or scenic river area that is within the national wilderness preservation system, as established by the Act of September 3, 1964 (Public Law 88-577), shall be subject to the provisions of both the Wilderness Act and this Act with respect to the preservation of such a national wild or scenic river area, and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(e) The head of any Federal, State, or local agency administering a national wild or scenic river area shall cooperate with the Secretary of the Interior, and with the appropriate State water pollution control agencies, for the purpose of eliminating or diminishing the pollution of waters within a national wild or scenic river area.

(f) The jurisdiction of the States and the United States over waters of any stream included in a national wild or scenic river area shall be determined by established principles of law. Under the provisions of this

Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the National Wild and Scenic Rivers System shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

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

(h) Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the National Wild and Scenic Rivers System.

(i) Nothing in this Act shall affect existing rights of any State, including the right of access, with respect to the beds of navigable streams, tributaries, or rivers (or segments thereof) located in a national wild or scenic river area.

(j) Designation of any stream or portion thereof as a national wild or scenic river area shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

(k) The jurisdiction of the States over waters of any stream included in a national wild or scenic river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

STATE AND LOCAL WILD AND SCENIC RIVERS

SEC. 7. (a) The Secretary of the Interior is directed to encourage and assist States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), needs an opportunities for establishing State, interstate, and local wild and scenic river areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to provide technical assistance and advice to, and cooperate with, States, interstate agencies, political subdivisions, and nonprofit private organizations, with respect to establishing such wild or scenic river areas.

(b) The Secretary of Agriculture is directed in accordance with the authority vested in him to assist, advise, and cooperate with State and local agencies and private interests with respect to establishing such wild or scenic river areas.

(c) Upon application of the Governor of the State for the designation of the Allagash Wilderness Waterway in Maine or the segment of the Wolf River in Langlade County, Wisconsin, as part of the National Wild and Scenic Rivers System, the Secretary of the Interior may make such designation if the State or local agency administering the area agrees to manage and protect it in a manner satisfactory to the Secretary.

(d) Upon application of the Governor of a State for the designation of any additional State or local wild or scenic river area as part of the National Wild and Scenic Rivers System, the Secretary may make such designation, after consultation with interested Federal agencies, if the State, interstate, or local agency administering the area agrees to manage and protect it in a manner satisfactory to the Secretary.

SEC. 8. In recognition of the fact that changes may occur in the circumstances of national wild or scenic river areas included in the National Wild and Scenic Rivers System or in the needs for the resources associated with such areas, which will require future Congresses to make changes in the

system, and in order to assure that the Congress is kept informed of such changes in circumstances or needs, there is created a National Wild and Scenic Rivers Review Board, to make review and furnish reports to the Congress as hereinafter provided.

The National Wild and Scenic Rivers Review Board shall consist of the Secretary of the Interior, who shall be its Chairman, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, and the Governors of the several States for the purpose of consideration of the status of any national wild or scenic river area included within the National Wild and Scenic Rivers System which lies within their States.

Within sixty days after the convening of a new Congress, commencing with the second Congress after the enactment of this Act, the National Wild and Scenic Rivers Review Board shall file a report and recommendations with the President of the Senate and with the Speaker of the House of Representatives. Such report shall contain a discussion of any significant developments since the date of enactment of the Act, or since the last report, including but not limited to the following subjects: Technology of passage of fish over dams; status and trends of anadromous fish runs; activities by way of construction or otherwise pursuant to international agreements relating to any basin in which national wild or scenic rivers areas are designated; projected national, regional, or local demand for additional electrical generating capacity, particularly as related to existence or possibility of declarations of national emergency; and Federal or State legislative changes which affect the financing of river or reclamation development projects, including basin account authorizations relative to any basin in which national wild or scenic rivers areas are designated. The National Wild and Scenic Rivers Review Board is authorized and directed to conduct continuing comparative studies which would measure the balance of benefits and detriments of each national wild or scenic river area to the State in which it is located, and to report to Congress, as appropriate, recommendations to assure that, wherever it is found that the reclamation of arid land would better serve the public interest of such State, the same shall not be prejudiced by the national wild or scenic rivers status of any stream.

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, there will be no action on this measure tonight, so there will be no further voting tonight.

STATEMENT BY CHAIRMAN OF COMMITTEE ON THE DISTRICT OF COLUMBIA SUPPORTING REORGANIZATION PLAN NO. 3 TO MAKE THE DISTRICT OF COLUMBIA GOVERNMENT MORE EFFICIENT AND EFFECTIVE

Mr. BIBLE. Mr. President, this week the Congress has a great opportunity to serve the Nation and the Nation's Capital by installing a stronger, more efficient and more effective government at the helm of the District of Columbia.

No one needed to live live through the last several weeks to know that every city is facing problems of great magnitude. These problems are testing government at every level, but the greatest of challenges must be met by our city governments.

No city—least of all the Capital of this

Nation—can afford less than the best in organizing its government to meet these challenges of the 1970's.

I know, and virtually everyone who has studied the government agrees, that Washington today has far less than the best. It has a weak and divided form of government. No city even half the size of the District still retains commission government.

President Johnson has graphically described the problem:

The government of our nation's capital must be reorganized. It is high time to move it out of horse-and-buggy days and into the Twentieth Century.

Washington is America's fastest growing metropolitan area. Yet its people are burdened and its progress imperiled by the drag of antiquated government. Today our capital stumbles along, hobbled by wasteful and inefficient practices installed as a temporary solution 93 years ago—just after the Civil War.

This is shameful. It must stop. The people of the District must be allowed to take their proper place in a progressive America.

Almost 60 years ago, President Theodore Roosevelt reached a similar judgment. In submitting a report on District of Columbia affairs to the Congress in 1908, he stated:

A single executive head would increase efficiency, determine responsibility, and eliminate delays and uncertainties inevitable under the present system . . . (S. Doc. No. 599, 60th Cong., 2nd Sess., p. 16).

The list of those today who share this judgment that the District's commission form of government is weak, inefficient and inadequate is long. Included are the three present Commissioners, Schuyler Lowe, the past director of the Department of General Administration, who labored long to make the District government function, the Board of Trade, the Comptroller General—House Government Operations Committee, Report No. 537, August 3, 1967, page 17, the U.S. Conference of Mayors, Chief John B. Layton of the Metropolitan Police Department, the District of Columbia Committee for Forward Looking Republicans, the League of Women Voters, and many others.

Reorganization Plan No. 3—which will become effective August 11 unless disapproved by one House of the Congress—will meet this universally recognized need for strengthened local government in the Nation's Capital. It will give the District a single strong executive who can lead the city government, and the central hub of the Nation's fastest growing metropolitan area in the drive to control crime, to make our streets safer, to provide for the people better housing, better health and more jobs.

The single executive will replace the outmoded commission form of government with its divided leadership and crossed lines of authority. It will shorten lines of communication and speed up decisionmaking. The Commissioner will be responsible for administration of the District government, for supervision of personnel, for preparation of the budget and for efficient and effective organization of the lower structure of the government.

In accordance with the best traditions