

107TH CONGRESS
2D SESSION

H. R. 4784

To direct the Secretary of the Interior to replace the U.S. Fish and Wildlife Service as the Federal agency responsible for the administration, protection, and preservation of Midway Atoll, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2002

Mr. DUNCAN introduced the following bill; which was referred to the
Committee on Resources

A BILL

To direct the Secretary of the Interior to replace the U.S. Fish and Wildlife Service as the Federal agency responsible for the administration, protection, and preservation of Midway Atoll, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds as follows:

5 (1) Public Law 106–113 directed the Secretary
6 of the Interior to designate Midway Atoll as a Na-
7 tional Memorial to the Battle of Midway.

1 (2) Congress intended that Midway Atoll be
2 preserved as a memorial to the honor and courage
3 of members of the United States Armed Forces who
4 participated in the critical battle that was the turn-
5 ing point of the war in the Pacific during World
6 War II.

7 (3) The designation was accomplished via Order
8 3217 by the Secretary of the Interior on September
9 13, 2000.

10 (4) Order 3217 designated the U.S. Fish and
11 Wildlife Service as the agency responsible for the de-
12 velopment of the National Memorial.

13 (5) Public access to the Atoll is a critical com-
14 ponent of its status as both a national memorial to
15 the Battle of Midway and a wildlife preservation
16 area.

17 (6) The airport located on the Atoll should re-
18 main open and available as an emergency airport for
19 both civilian and military aircraft.

20 **SEC. 2. DESIGNATION OF REPLACEMENT AGENCY.**

21 (a) REVIEW.—The Secretary of the Interior, in con-
22 sultation with interested parties, shall conduct a review
23 of the administration of Midway Atoll and the designation
24 of the atoll as national memorial to the Battle of Midway.

1 (b) DESIGNATION OF ADMINISTERING AGENCY.—

2 Not later than 90 days after the date of the enactment
3 of this Act, the Secretary shall designate an agency within
4 the Department of the Interior to replace the U.S. Fish
5 and Wildlife Service as administrator of Midway Atoll and
6 developer of the national memorial thereon.

7 (c) STATUS OF NATIONAL MEMORIAL.—The national
8 memorial on Midway Atoll shall be given equal consider-
9 ation with concerns over the preservation of wildlife in all
10 matters related to the administration, development, and
11 preservation of Midway Atoll.

12 (d) PUBLIC ACCESS.—The Secretary shall provide for
13 public access to Midway Atoll in the most cost-effective
14 manner available.

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