

consideration as residents of other circuits.

Considering the size of the circuit, the Ninth Circuit is comprised not only of Montana but eight other States and two principalities. The Ninth Circuit Court is about twice the size of the next circuit court in both population and geography. The caseload is among the highest. It is the fastest growing area of the Nation and the time to complete an average appeal is more than 14 months, which is 4 months longer than the national average. Its 28 judges are about twice the recommended number for an appellate court.

Mr. Speaker, I have worked hard and will continue to work with other Members of Congress to address this problem. The sooner we study the problems of the Ninth Circuit Court, the sooner Montanans' justice will be neither denied nor delayed.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that although there may be at this point different hunches on how we are going to go, there is unanimity that this bill before us today should be supported and will yield good and thoughtful answers to the Congress as we struggle to make our appellate court system work very well for all Americans.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from North Carolina [Mr. COBLE] that the House suspend the rules and pass the bill, H.R. 908, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT ACT OF 1997

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1420) to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1420

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "National Wildlife Refuge System Improvement Act of 1997".

(b) REFERENCES.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be con-

sidered to be made to a section or provision of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) The National Wildlife Refuge System is comprised of over 92,000,000 acres of Federal lands that have been incorporated within 509 individual units located in all 50 States and the territories of the United States.

(2) The System was created to conserve fish, wildlife, and plants and their habitats and this conservation mission has been facilitated by providing Americans opportunities to participate in compatible wildlife-dependent recreation, including fishing and hunting, on System lands and to better appreciate the value of and need for fish and wildlife conservation.

(3) The System serves a pivotal role in the conservation of migratory birds, anadromous and interjurisdictional fish, marine mammals, endangered and threatened species, and the habitats on which these species depend.

(4) The System assists in the fulfillment of important international treaty obligations of the United States with regard to fish, wildlife, and plants and their habitats.

(5) The System includes lands purchased not only through the use of tax dollars but also through the proceeds from sales of Duck Stamps and national wildlife refuge entrance fees. It is a System that is financially supported by those benefiting from and utilizing it.

(6) When managed in accordance with principles of sound fish and wildlife management and administration, fishing, hunting, wildlife observation, and environmental education in national wildlife refuges have been and are expected to continue to be generally compatible uses.

(7) On March 25, 1996, the President issued Executive Order 12996, which recognized "compatible wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation as priority public uses of the Refuge System".

(8) Executive Order 12996 is a positive step and serves as the foundation for the permanent statutory changes made by this Act.

#### SEC. 3. DEFINITIONS.

(a) IN GENERAL.—Section 5 (16 U.S.C. 668ee) is amended to read as follows:

##### "SEC. 5. DEFINITIONS.

"For purposes of this Act:

"(1) The term 'compatible use' means a use of a refuge that, in the sound professional judgment of the Director, will not materially interfere with or detract from the fulfillment of the mission of the System or the purposes of the refuge.

"(2) The terms 'wildlife-dependent recreation' and 'wildlife-dependent recreational use' mean a use of a refuge involving hunting, fishing, wildlife observation and photography, or environmental education and interpretation.

"(3) The term 'sound professional judgment' means a finding, determination, or decision that is consistent with principles of sound fish and wildlife management and administration, available science and resources, and adherence to the requirements of this Act and other applicable laws.

"(4) The terms 'conserving', 'conservation', 'manage', 'managing', and 'management', mean to sustain and, where appropriate, restore and enhance, healthy populations of fish, wildlife, and plants utilizing, in accordance with applicable Federal and State laws, methods and procedures associated with modern scientific resource programs. Such methods and procedures include, consistent

with the provisions of this Act, protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and regulated taking.

"(5) The term 'Coordination Area' means a wildlife management area that is made available to a State—

"(A) by cooperative agreement between the United States Fish and Wildlife Service and a State agency having control over wildlife resources pursuant to section 4 of the Fish and Wildlife Coordination Act (16 U.S.C. 664); or

"(B) by long-term leases or agreements pursuant to title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525; 7 U.S.C. 1010 et seq.).

"(6) The term 'Director' means the Director of the United States Fish and Wildlife Service or a designee of that Director.

"(7) The terms 'fish', 'wildlife', and 'fish and wildlife' mean any wild member of the animal kingdom whether alive or dead, and regardless of whether the member was bred, hatched, or born in captivity, including a part, product, egg, or offspring of the member.

"(8) The term 'person' means any individual, partnership, corporation, or association.

"(9) The term 'plant' means any member of the plant kingdom in a wild, unconfined state, including any plant community, seed, root, or other part of a plant.

"(10) The terms 'purposes of the refuge' and 'purposes of each refuge' mean the purposes specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit.

"(11) The term 'refuge' means a designated area of land, water, or an interest in land or water within the System, but does not include Coordination Areas.

"(12) The term 'Secretary' means the Secretary of the Interior.

"(13) The terms 'State' and 'United States' mean the several States of the United States, Puerto Rico, American Samoa, the Virgin Islands, Guam, and the territories and possessions of the United States.

"(14) The term 'System' means the National Wildlife Refuge System designated under section 4(a)(1).

"(15) The terms 'take', 'taking', and 'taken' mean to pursue, hunt, shoot, capture, collect, or kill, or to attempt to pursue, hunt, shoot, capture, collect, or kill."

(b) CONFORMING AMENDMENT.—Section 4 (16 U.S.C. 668dd) is amended by striking "Secretary of the Interior" each place it appears and inserting "Secretary".

#### SEC. 4. MISSION OF THE SYSTEM.

Section 4(a) (16 U.S.C. 668dd(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively;

(2) in clause (i) of paragraph (6) (as so redesignated), by striking "paragraph (2)" and inserting "paragraph (5)"; and

(3) by inserting after paragraph (1) the following new paragraph:

"(2) The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

#### SEC. 5. ADMINISTRATION OF THE SYSTEM.

(a) ADMINISTRATION GENERALLY.—Section 4(a) (16 U.S.C. 668dd(a)), as amended by section 4 of this Act, is further amended by inserting after new paragraph (2) the following new paragraphs:

"(3) With respect to the System, it is the policy of the United States that—

"(A) each refuge shall be managed to fulfill the mission of the System, as well as the specific purposes for which that refuge was established;

"(B) compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the System, directly related to the mission of the System and the purposes of many refuges, and which generally fosters refuge management and through which the American public can develop an appreciation for fish and wildlife;

"(C) compatible wildlife-dependent recreational uses are the priority general public uses of the System and shall receive priority consideration in refuge planning and management; and

"(D) when the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated, subject to such restrictions or regulations as may be necessary, reasonable, and appropriate.

"(4) In administering the System, the Secretary shall—

"(A) provide for the conservation of fish, wildlife, and plants, and their habitats within the System;

"(B) ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans;

"(C) plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System, to contribute to the conservation of the ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public;

"(D) ensure that the mission of the System described in paragraph (2) and the purposes of each refuge are carried out, except that if a conflict exists between the purposes of a refuge and the mission of the System, the conflict shall be resolved in a manner that first protects the purposes of the refuge, and, to the extent practicable, that also achieves the mission of the System;

"(E) ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the States in which the units of the System are located;

"(F) assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the System and the purposes of each refuge;

"(G) acquire, under State law, water rights that are needed for refuge purposes;

"(H) recognize compatible wildlife-dependent recreational uses as the priority general public uses of the System through which the American public can develop an appreciation for fish and wildlife;

"(I) ensure that opportunities are provided within the System for compatible wildlife-dependent recreational uses;

"(J) ensure that priority general public uses of the System receive enhanced consideration over other general public uses in planning and management within the System;

"(K) provide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities, such as fishing and hunting;

"(L) continue, consistent with existing laws and interagency agreements, authorized or permitted uses of units of the System by other Federal agencies, including those nec-

essary to facilitate military preparedness; and

"(M) ensure timely and effective cooperation and collaboration with Federal agencies and State fish and wildlife agencies during the course of acquiring and managing refuges."

(b) POWERS.—Section 4(b) (16 U.S.C. 668dd(b)) is amended—

(1) in the matter preceding paragraph (1) by striking "authorized—" and inserting "authorized to take the following actions:";

(2) in paragraph (1) by striking "to enter" and inserting "Enter";

(3) in paragraph (2)—

(A) by striking "to accept" and inserting "Accept"; and

(B) by striking ", and" and inserting a period;

(4) in paragraph (3) by striking "to acquire" and inserting "Acquire"; and

(5) by adding at the end the following new paragraphs:

"(4) Subject to standards established by and the overall management oversight of the Director, and consistent with standards established by this Act, to enter into cooperative agreements with State fish and wildlife agencies for the management of programs on a refuge.

"(5) Issue regulations to carry out this Act."

#### SEC. 6. COMPATIBILITY STANDARDS AND PROCEDURES.

Section 4(d) (16 U.S.C. 668dd(d)) is amended by adding at the end the following new paragraphs:

"(3)(A)(i) Except as provided in clause (iv), the Secretary shall not initiate or permit a new use of a refuge or expand, renew, or extend an existing use of a refuge, unless the Secretary has determined that the use is a compatible use and that the use is not inconsistent with public safety. The Secretary may make the determinations referred to in this paragraph for a refuge concurrently with development of a conservation plan under subsection (e).

"(ii) On lands added to the System after March 25, 1996, the Secretary shall identify, prior to acquisition, withdrawal, transfer, reclassification, or donation of any such lands, existing compatible wildlife-dependent recreational uses that the Secretary determines shall be permitted to continue on an interim basis pending completion of the comprehensive conservation plan for the refuge.

"(iii) Wildlife-dependent recreational uses may be authorized on a refuge when they are compatible and not inconsistent with public safety. Except for consideration of consistency with State laws and regulations as provided for in subsection (m), no other determinations or findings are required to be made by the refuge official under this Act or the Refuge Recreation Act for wildlife-dependent recreation to occur.

"(iv) Compatibility determinations in existence on the date of enactment of the National Wildlife Refuge System Improvement Act of 1997 shall remain in effect until and unless modified.

"(B) Not later than 24 months after the date of the enactment of the National Wildlife Refuge System Improvement Act of 1997, the Secretary shall issue final regulations establishing the process for determining under subparagraph (A) whether a use of a refuge is a compatible use. These regulations shall—

"(i) designate the refuge official responsible for making initial compatibility determinations;

"(ii) require an estimate of the timeframe, location, manner, and purpose of each use;

"(iii) identify the effects of each use on refuge resources and purposes of each refuge;

"(iv) require that compatibility determinations be made in writing;

"(v) provide for the expedited consideration of uses that will likely have no detrimental effect on the fulfillment of the purposes of a refuge or the mission of the System;

"(vi) provide for the elimination or modification of any use as expeditiously as practicable after a determination is made that the use is not a compatible use;

"(vii) require, after an opportunity for public comment, reevaluation of each existing use, other than those uses specified in clause (viii), if conditions under which the use is permitted change significantly or if there is significant new information regarding the effects of the use, but not less frequently than once every 10 years, to ensure that the use remains a compatible use;

"(viii) require, after an opportunity for public comment, reevaluation of each compatible wildlife-dependent recreational use when conditions under which the use is permitted change significantly or if there is significant new information regarding the effects of the use, but not less frequently than in conjunction with each preparation or revision of a conservation plan under subsection (e) or at least every 15 years, whichever is earlier; and

"(ix) provide an opportunity for public review and comment on each evaluation of a use, unless an opportunity for public review and comment on the evaluation of the use has already been provided during the development or revision of a conservation plan for the refuge under subsection (e) or has otherwise been provided during routine, periodic determinations of compatibility for wildlife-dependent recreational uses.

"(4) The provisions of this Act relating to determinations of the compatibility of a use shall not apply to—

"(A) overflights above a refuge; and

"(B) activities authorized, funded, or conducted by a Federal agency (other than the United States Fish and Wildlife Service) which has primary jurisdiction over a refuge or a portion of a refuge, if the management of those activities is in accordance with a memorandum of understanding between the Secretary or the Director and the head of the Federal agency with primary jurisdiction over the refuge governing the use of the refuge."

#### SEC. 7. REFUGE CONSERVATION PLANNING PROGRAM.

(a) IN GENERAL.—Section 4 (16 U.S.C. 668dd) is amended—

(1) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(2) by inserting after subsection (d) the following new subsection:

"(e)(1)(A) Except with respect to refuge lands in Alaska (which shall be governed by the refuge planning provisions of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.)), the Secretary shall—

"(i) propose a comprehensive conservation plan for each refuge or related complex of refuges (referred to in this subsection as a 'planning unit') in the System;

"(ii) publish a notice of opportunity for public comment in the Federal Register on each proposed conservation plan;

"(iii) issue a final conservation plan for each planning unit consistent with the provisions of this Act and, to the extent practicable, consistent with fish and wildlife conservation plans of the State in which the refuge is located; and

"(iv) not less frequently than 15 years after the date of issuance of a conservation plan under clause (iii) and every 15 years thereafter, revise the conservation plan as may be necessary.

"(B) The Secretary shall prepare a comprehensive conservation plan under this subsection for each refuge within 15 years after the date of enactment of the National Wildlife Refuge System Improvement Act of 1997.

"(C) The Secretary shall manage each refuge or planning unit under plans in effect on the date of enactment of the National Wildlife Refuge System Improvement Act of 1997, to the extent such plans are consistent with this Act, until such plans are revised or superseded by new comprehensive conservation plans issued under this subsection.

"(D) Uses or activities consistent with this Act may occur on any refuge or planning unit before existing plans are revised or new comprehensive conservation plans are issued under this subsection.

"(E) Upon completion of a comprehensive conservation plan under this subsection for a refuge or planning unit, the Secretary shall manage the refuge or planning unit in a manner consistent with the plan and shall revise the plan at any time if the Secretary determines that conditions that affect the refuge or planning unit have changed significantly.

"(2) In developing each comprehensive conservation plan under this subsection for a planning unit, the Secretary, acting through the Director, shall identify and describe—

"(A) the purposes of each refuge comprising the planning unit;

"(B) the distribution, migration patterns, and abundance of fish, wildlife, and plant populations and related habitats within the planning unit;

"(C) the archaeological and cultural values of the planning unit;

"(D) such areas within the planning unit that are suitable for use as administrative sites or visitor facilities;

"(E) significant problems that may adversely affect the populations and habitats of fish, wildlife, and plants within the planning unit and the actions necessary to correct or mitigate such problems; and

"(F) opportunities for compatible wildlife-dependent recreational uses.

"(3) In preparing each comprehensive conservation plan under this subsection, and any revision to such a plan, the Secretary, acting through the Director, shall, to the maximum extent practicable and consistent with this Act—

"(A) consult with adjoining Federal, State, local, and private landowners and affected State conservation agencies; and

"(B) coordinate the development of the conservation plan or revision with relevant State conservation plans for fish and wildlife and their habitats.

"(4)(A) In accordance with subparagraph (B), the Secretary shall develop and implement a process to ensure an opportunity for active public involvement in the preparation and revision of comprehensive conservation plans under this subsection. At a minimum, the Secretary shall require that publication of any final plan shall include a summary of the comments made by States, owners of adjacent or potentially affected land, local governments, and any other affected persons, and a statement of the disposition of concerns expressed in those comments.

"(B) Prior to the adoption of each comprehensive conservation plan under this subsection, the Secretary shall issue public notice of the draft proposed plan, make copies of the plan available at the affected field and regional offices of the United States Fish and Wildlife Service, and provide opportunity for public comment."

#### **SEC. 8. EMERGENCY POWER; STATE AUTHORITY; WATER RIGHTS; COORDINATION.**

(a) IN GENERAL.—Section 4 (16 U.S.C. 668dd) is further amended by adding at the end the following new subsections:

"(k) Notwithstanding any other provision of this Act, the Secretary may temporarily suspend, allow, or initiate any activity in a refuge in the System if the Secretary determines it is necessary to protect the health and safety of the public or any fish or wildlife population.

"(l) Nothing in this Act shall be construed to authorize the Secretary to control or regulate hunting or fishing of fish and resident wildlife on lands or waters that are not within the System.

"(m) Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations in any area within the System. Regulations permitting hunting or fishing of fish and resident wildlife within the System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans.

"(n)(1) Nothing in this Act shall—

"(A) create a reserved water right, express or implied, in the United States for any purpose;

"(B) affect any water right in existence on the date of enactment of the National Wildlife Refuge System Improvement Act of 1997; or

"(C) affect any Federal or State law in existence on the date of the enactment of the National Wildlife Refuge System Improvement Act of 1997 regarding water quality or water quantity.

"(2) Nothing in this Act shall diminish or affect the ability to join the United States in the adjudication of rights to the use of water pursuant to the McCarran Act (43 U.S.C. 666).

"(o) Coordination with State fish and wildlife agency personnel or with personnel of other affected State agencies pursuant to this Act shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.)."

(b) CONFORMING AMENDMENT.—Section 4(c) (16 U.S.C. 668dd(c)) is amended by striking the last sentence.

#### **SEC. 9. STATUTORY CONSTRUCTION WITH RESPECT TO ALASKA.**

(a) IN GENERAL.—Nothing in this Act is intended to affect—

(1) the provisions for subsistence uses in Alaska set forth in the Alaska National Interest Lands Conservation Act (Public Law 96-487), including those in titles III and VIII of that Act;

(2) the provisions of section 102 of the Alaska National Interest Lands Conservation Act, the jurisdiction over subsistence uses in Alaska, or any assertion of subsistence uses in Alaska in the Federal courts; and

(3) the manner in which section 810 of the Alaska National Interest Lands Conservation Act is implemented in national wildlife refuges in Alaska.

(b) CONFLICTS OF LAWS.—If any conflict arises between any provision of this Act and any provision of the Alaska National Interest Lands Conservation Act, then the provision in the Alaska National Interest Lands Conservation Act shall prevail.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska [Mr. YOUNG] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, as the chief sponsor of this legislation,

I am pleased that the House is now considering H.R. 1420, a bill that will modernize the National Wildlife Refuge System Administration Act of 1966.

When I began this effort over 2 years ago, my goal was to enact an organic law that would ensure a bright future for our Nation's 92 million-acre refuge system. Our objectives also included creation of a statutory shield to ensure that hunting and fishing and other forms of wildlife dependent recreation could continue within the system and to facilitate those traditional activities, where compatible, with conservation. In my judgment, this legislation will accomplish these goals.

H.R. 1420 is the product of many long hours of thoughtful negotiations between the Department of the Interior, and I want to stress that, between the Department of the Interior, the original cosponsor of the bill, the staff of the gentleman from California, Mr. MILLER, and those representing the hunting, conservation, and environmental communities. In particular, I want to compliment Secretary Bruce Babbitt for his personal commitment to this effort and for hosting these discussions. This process could well serve as a model to resolve other legislative differences.

I would also like to thank my good friend, I just noticed he was on the floor, I do not know where he went, the gentleman from Michigan [Mr. DINGELL], who was the father of the refuges. He worked very hard with me over the years developing these refuges and the refuge system itself. Without his leadership, I doubt if this could have taken place. And again I want to thank the staff for participating because they worked very hard.

But H.R. 1420 is not a perfect bill. It is not everything I wanted. I want to stress it is a compromise that has been endorsed by the Clinton administration and with such diverse groups as the Izaak Walton League, the National Rifle Association, the International Association of Fish and Wildlife Agencies, Safari Club International, Wildlife Legislative Fund of America, and the Wildlife Management Institute. I want to stress that these people support this legislation.

The major components of this new bill are that it statutorily defines the term "compatible use." While the refuge manager will retain the power to determine what is compatible, this language should provide the necessary guidance to make the proper decision.

□ 1445

It defines the term "wildlife dependent recreation" to mean hunting, fishing, wildlife observation and photography, or environmental education and interpretation and expressly recognizes these as priority uses of the system. This bill neither mandates nor prohibits such nonwildlife-dependent activities such as grazing, jet skiing, or oil and gas development.

The bill will establish for the first time a mission for our Nation's 509

wildlife refuges. This statement stipulates that the mission of the system is to administer a national network of lands and waters for the conservation, management and, where appropriate, the restoration of fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans.

When administering the system, it is the policy of the United States that compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the system and will be given priority consideration in refuge planning and management. In addition, the Secretary is directed to ensure that opportunities are provided for compatible wildlife-dependent recreational activities within the refuge system.

Finally, Congress finds that these activities, including hunting and fishing, have been and are expected to be generally compatible with the mission of the system and purposes of the refuges.

The legislation contains an important requirement that the U.S. Fish and Wildlife Service make a determination, prior to land acquisition, whether existing wildlife-dependent uses may continue during the implementation of a management plan. By so doing, the citizens will know up front whether their favorite fishing and hunting spots will remain open and, if they are unhappy with the decision, they can lobby their congressman prior to the acquisition of the proposed refuge land.

H.R. 1420 requires the completion of a conservation plan for each of the 509 refuges within 15 years of the date of enactment. We should know what kind of natural or wildlife resources exist on these refuges.

Finally, this bill contains language that ensures that the act will not affect Federal, State, or local water rights and will not affect the Alaska National Interest Lands Conservation Act. The key fundamental change between this legislation and H.R. 511 is the deletion of the six systemwide purposes. Under this compromise measure, the hierarchical structure will be the conservation mission of the system, the purposes of each individual refuge unit, compatible wildlife-dependent recreational uses, and then nonwildlife-dependent activities.

While States will retain primacy over the management of fish and wildlife, the mission of the refuge system will be satisfied and individuals will have an opportunity to enjoy compatible wildlife-dependent recreation. After all, it is the American people who have helped to pay for the acquisition of the 92 million acres of Federal refuge lands with their hard-earned tax dollars.

In the final analysis, this is a sound piece of conservation legislation that is true to the legacy of Theodore Roosevelt and reaffirms the vision of the National Wildlife Refuge System Administration Act of 1966.

I urge an "aye" vote on H.R. 1420, and again I want to thank all my col-

leagues that were involved directly in this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ABERCROMBIE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 1420. This compromise clearly establishes the conservation mission of the National Wildlife Refuge System while ensuring the compatible wildlife-dependent recreation continues to have a place within the system as well. It requires that all uses of the system meet the same objective tests of compatibility.

If and when hunting, bird watching, or other forms of wildlife-dependent recreation are found compatible with wildlife conservation, they are given priority treatment over nonwildlife-dependent uses of the system. This is a sound policy that ensures conservation is paramount, while providing maximum opportunities for compatible wildlife-dependent recreation for the public. Our job here is to provide a good blueprint for managing the refuge system and let the wildlife management professional take it from there. This bill does that. We should pass it and let the professional get back to work.

Mr. Speaker, H.R. 1420 is a good example of bipartisanship, perhaps more appropriately, nonpartisanship. I want to commend Secretary Babbitt, the gentleman from Alaska [Mr. YOUNG], the gentleman from New Jersey [Mr. SAXTON], the gentleman from California [Mr. MILLER], the ranking member, and the gentleman from Michigan [Mr. DINGELL], who is here, as mentioned by the gentleman from Alaska [Mr. YOUNG], and the various interest groups for all their hard work in crafting legislation that satisfies a diversity of needs while preserving a fundamental mission of the system.

Mr. Speaker, I might say that that lineup of people that I just enumerated is a living example of diversity of needs while preserving the fundamental mission of the House of Representatives.

Perhaps we can apply the same approach to address the backlog of management needs plaguing our wildlife refuges. If the refuge system had adequate resources, the various user groups might not be fighting each other so much over access and management decisions. The House's adoption of this legislation today is a significant step forward in recognizing the importance of wildlife refuges and addressing their problems.

I urge, as the gentleman from Alaska [Mr. YOUNG] did, all of our colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of H.R. 1420, the bill known as the National Wildlife Refuge System Improvement Act. Mr. Speaker, as my colleagues may know, when I held the first hearing on the first version of the bill before the Fisheries Conservation, Wildlife and Oceans Subcommittee, it sparked a lively debate and was quite contentious. Nevertheless, all witnesses agreed that the problems of the refuge system needed to be addressed.

When I suggested that the differing parties should work together to find a common solution, I would not have guessed that these discussions would culminate in legislation supported by such a diverse group of environmental and hunting organizations as we have found support this bill today.

Today we have before us a bill that is supported by Secretary of the Interior, Bruce Babbitt, the gentleman from Alaska [Mr. YOUNG], chairman of the Resources Committee, the gentleman from California [Mr. MILLER], the ranking member, the gentleman from Hawaii [Mr. ABERCROMBIE], the ranking member of the Fish, Conservation, Wildlife and Oceans Subcommittee, the gentleman from Michigan [Mr. DINGELL], ranking member of the Energy and Commerce Committee, Members of both sides of the aisle, and the administration.

In my view, Mr. Speaker, this is exactly the kind of process that we ought to have in the House to solve problems that are unique and of importance to the American people and the habitat in which wildlife survives. This compromise legislation, which the gentleman from Alaska [Mr. YOUNG] has so eloquently described, contains a provision that I believe is the linchpin to continuing public support for the refuge system.

As the law currently stands, as soon as refuge lands are acquired, the door to public use is immediately slammed shut. The many hunters, fishers, birders, and environmental groups that have been using the land for recreation and education have worked hard to preserve the land and then are prevented from further use. No sound conservation reason can explain this and prevent them from using it.

I have urged for years that this action erodes public support and creates unnecessary ill feelings toward the refuge system and its managers. The bill eliminates this unnecessary situation. It will require the U.S. Fish and Wildlife Service to make a determination prior to land acquisition whether existing wildlife-dependent uses may continue during the implementation of a management plan. In other words, the door does not slam shut.

By so doing, citizens will know up front whether their favorite fishing or hunting spots will remain open. And if they are unhappy with that decision or that proposal, they can lobby their congressional Representative prior to the acquisition of refuge lands. I believe that retaining some modicum of

control will keep the public support of refuges high and decrease hard feelings between users and land managers.

Mr. Speaker, during his opening statement, the gentleman from Alaska [Mr. YOUNG] made reference to a number of groups that support this bill. I would like to add to that list the National Wildlife Federation, who say in the letter drafted and dated May 29, "The negotiations by your staff," referring to the gentleman from Alaska [Mr. YOUNG], "with the Clinton administration and Members of Congress have resulted in a carefully crafted proposal with broad support. We support H.R. 1420." That is the National Wildlife Federation.

Mr. Speaker, this is not an all-encompassing bill. It is probably not perfect. Few things, if any, that we do here are. There are undoubtedly future changes that will be made to the management of the refuge system. This, however, is a huge step in the right direction.

I again want to thank all the Members and staff, specifically Sharon McKean, Harry Burroughs, Chris Mann, Don Beattie, Dan Ashe and others, who worked so hard to bring this compromise legislation before the House. And I, of course, urge all Members to support it.

Mr. Speaker, I include the following letter for the RECORD:

NATIONAL WILDLIFE FEDERATION,  
Vienna, VA, May 29, 1997.

Hon. DON YOUNG,  
Chairman, House Resources Committee, U.S.  
House of Representatives, Washington, DC.

DEAR CHAIRMAN YOUNG: I am writing to thank you for your recent efforts on H.R. 1420, the National Wildlife Refuge Administration Act of 1997. The National Wildlife Refuge System and its proper management have long been of special interest to the National Wildlife Federation (NWF). Your willingness to address many of the concerns we had with the original version of the bill, H.R. 511, is greatly appreciated.

The negotiations by your staff with the Clinton Administration and Members of Congress have resulted in a carefully crafted proposal with broad support. We support H.R. 1420 provided that no weakening amendments are made to the bill as it moves through the legislative process. We appreciate and support your vigorous opposition to any such weakening amendments, as indicated by your staff (Harry Burroughs, conversation with Doug Inkley, May 29, 1997). We look forward to House approval of H.R. 1420 next week.

Sincerely,

MARK VAN PUTTEN,  
President.

Mr. ABERCROMBIE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I thank the gentleman from Hawaii [Mr. ABERCROMBIE], my good friend, for yielding me the time, and I want to commend him and thank him for his work on behalf of this piece of legislation. He is a valuable Member of this body and I am indeed grateful to him.

Mr. Speaker, I want to, first of all, urge my colleagues to support this leg-

islation. It is a fine piece of legislation. It is a strong piece of legislation. It will protect one of the Nation's most precious resources, our national wildlife refuge system, hundreds of areas, and millions of acres, and they will be protected for the future, but they will be under wise use.

My colleagues might perhaps wonder why I rise here today. My first reason is to commend my colleagues who have participated in this, the gentleman from Alaska [Mr. YOUNG], my dear friend of long standing, the chairman of the committee, the gentleman from New Jersey [Mr. SAXTON], my good friend, the gentleman from Hawaii [Mr. ABERCROMBIE], the gentleman from California [Mr. MILLER], the ranking minority member of the committee, and the very fine staffs of all of us, including Dan Beattie from my staff, who participated in the work that made this possible.

I also want to rise to commend the Secretary of the Interior, Mr. Babbitt, who worked so hard and so well on this battle. And it is probably with some surprise that all of us who participated in these discussions find that we have accomplished the remarkable task of bringing this legislation to the floor. It is indeed remarkable because there were great differences that existed as we went through the business.

The legislation is good. It is a successor piece of legislation to the Refuge Administration Act, which years ago, when I was chairman of the Subcommittee on Fisheries and Wildlife Conservation of the old Merchant Marine and Fisheries Committee, on which my good friend, the chairman of the Committee on Natural Resources served at that time. I want to say that we were very proud of the good work that we did in those great days, as we are proud of the work that we do today.

The legislation protects hunting, it protects wise use, it sees to it that the refuges both insofar as their habitat and their area are protected. It also sees to it that the wildlife species, which are so precious and so important and which are the reason for the existence of the refuge system, achieve the full and necessary protection which they must have.

The bill expands the National Wildlife Refuge System Act of 1966 by providing a strong mission statement for the system and by ensuring that each refuge is managed in a way that fulfills the mission of the system and the purpose for which the refuge was created. It provides in this strong statement the following language: "To administer national networks of lands and waters for the conservation, management and where appropriate the restoration of fish, wildlife, and plant resources and their habitats with the United States for the benefit of the present and future generations of Americans." It directs the service to implement conservation plans and to determine the compatibility of activities on the refuge and gives protection to compatible

wildlife-dependent activities, like hunting.

And I would remind all my colleagues and everybody in and outside this body that it was the hunters who set up and who maintained and who preserved, protected, and funded the wildlife refuge system, and it is the hunter with his small contribution of one duck stamp each hunting season that makes possible the continued acquisition of land for the precious purpose of protecting this system.

I hope that my colleagues will recognize that this is good, sound, necessary legislation, and I hope that they will recognize that many of the important wildlife and hunting organizations support this: the Wildlife Legislative Fund, the National Wildlife Federation, the National Rifle Association, the Safari Club International, and by my colleagues who work here constantly on behalf of conservation, my colleagues and friends in the Congressional Sportsmen's Caucus.

I do want to say one particular word about the gentleman from Alaska [Mr. YOUNG], my good friend. I know he had strong differences with the Secretary early on, and I know the Secretary had strong differences with my colleague. The two came together in a fashion which does credit not only to them but to this institution and to their respective responsibilities.

I am proud to have had a little bit to do with the adoption of this legislation. I want to urge my colleagues to support the legislation, which brings viability and health to 92 million acres of the refuge system, which is one of the greatest national treasures in the possession of this country.

□ 1500

Mr. ABERCROMBIE. Mr. Speaker, I yield the balance of my time to the gentleman from American Samoa [Mr. FALEOMAVAEGA], and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. I thank the gentleman for yielding me this time.

Mr. Speaker, I neglected to mention the person who worked very closely with me over the past couple of years in preparing for today, and that, of course, is Sharon McKenna, one of the staffers on the Resources Committee who is here with me today. I just wanted to thank her so very much for all the hard work that she has done in preparation for today as well.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FORBES].

(Mr. FORBES asked and was given permission to revise and extend his remarks.)

Mr. FORBES. Mr. Speaker, I thank the distinguished gentleman for yielding me this time to rise in support of this very important legislation. I thank him for his stewardship of this very important issue and, of course, our ranking member of the committee, in fact, the entire committee and the professional staff, for making possible this very important legislation.

H.R. 1420 will finally, after 40 years, give the National Wildlife Refuge System a mission, a central mission for the Nation's 509 wildlife refuges. It will make wildlife conservation the primary purpose of all refuges, and finally give the Fish and Wildlife Service a directive in how to best manage this precious resource.

It also allows important secondary uses, very important, such as hunting and fishing, to continue on refuges as long as they are compatible with the primary purpose of the refuge, wildlife conservation. My good friend from Michigan just a moment ago noted that it was sportsmen conservationists, original conservationists that made possible this setting aside of precious lands.

I thank the committee, and particularly the chairman and the ranking member, for their leadership on this important issue.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Speaker, the gentleman from Florida [Mr. GOSS] has brought some questions to my attention which I would like to discuss with the chairman of the committee at this time.

I have a few questions I would like to address to the chairman about the potential effects of the bill on the utility and other rights-of-way and related facilities within the Nation's wildlife refuges. Current law expressly allows such rights-of-way when they are determined to be compatible with the purposes for which the refuge was established. In many cases electricity and other rights-of-way and related facilities provide additional valuable habitat for our Nation's wildlife.

Current Fish and Wildlife Service regulations specify a 50-year permit term for rights-of-way for electrical transmission lines, recognizing that the siting process for such lines is lengthy, complex, and costly. H.R. 1420 requires that the Fish and Wildlife Service review the compatibility for all uses at least every 10 years. Does the gentleman envision this requirement as adversely impacting either existing rights-of-way or the Service's ability to grant future rights-of-way across the refuge?

Mr. YOUNG of Alaska. If the gentleman will yield, the enactment of H.R. 1420 should not impact these rights-of-way. As the gentleman has noted, rights-of-way on refuges are granted by the Fish and Wildlife Service under provisions of the existing Na-

tional Wildlife Refuge System Administration Act, provisions which are not amended by this bill. That act requires the Service to first determine that the proposed right-of-way is compatible with the purposes for which the refuge was established.

This bill utilizes the same definitions of compatibility that the Service has used administratively for many years. Its enactment will create no higher standard for rights-of-way than exist at present. We are changing the process by which decisions are made, not the standard which is used to make them.

The Fish and Wildlife Service accompanies rights-of-way permits with terms and conditions necessary to ensure that the right-of-way remains compatible. What would be examined under the 10-year review required by this bill is the compliance with the terms and conditions of the permit, not the existence of the right-of-way. The Fish and Wildlife Service does this now. The only change would be in the process by which the review is conducted. There would be no adverse impacts on electrical or other rights-of-way through this review.

Mr. SAXTON. I understand that the U.S. Fish and Wildlife Service was consulted on this issue and agrees with the gentleman's assessment. Is that correct?

Mr. YOUNG of Alaska. The gentleman is absolutely correct.

Mr. SAXTON. I thank the gentleman.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

I certainly want to commend the gentleman from Alaska, the chief sponsor of this legislation, for his leadership and certainly for his patience in getting the bipartisan support of this important piece of legislation. I thank also the gentleman from New Jersey, the chairman of the subcommittee, for bringing this legislation to the floor for consideration.

I have no further speakers at this time, Mr. Speaker, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in my opening statement I forgot to mention that the gentleman from Michigan [Mr. DINGELL] and myself have worked many, many years on refuge legislation. We watched the support for refuges grow in this country because we wanted to leave a legacy of hunting and fishing, the heritage of this country, to our young people. We were able to do that through our actions in the past and this is just an attempt to make sure that continues. I urge a strong aye vote on this legislation.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

Mr. TANNER. Mr. Speaker, it is a pleasure to be here today to talk about H.R. 1420. I appreciate the gentleman yielding me this time.

Today's vote on the National Wildlife Refuge System Improvement Act is a simple one as we mark National Fishing Week. The road we have taken to establish this common sense compromise for the future management of our Nation's valuable National Wildlife Refuge System is one that should be followed more often.

The gentleman from Alaska [Mr. YOUNG], our committee chairman, Interior Secretary Bruce Babbitt, the gentleman from Michigan [Mr. DINGELL], the gentleman from New Jersey [Mr. SAXTON], and the gentleman from California [Mr. MILLER] should all be commended for their energy and resolve in reaching this consensus agreement. Equally important are the nongovernmental organizations, including the International Association of Fish and Wildlife Agencies, the Safari Club International, the Wildlife Management Institute, the Izaak Walton League, the Wildlife Legislative Fund of America, the National Wildlife Federation, and the National Rifle Association. All have made significant contributions to the process that brings us here today.

I want to particularly thank the gentleman from Alaska [Mr. YOUNG], the gentleman from Michigan [Mr. DINGELL], the gentleman from American Samoa [Mr. FALEOMAVAEGA], the gentleman from California [Mr. MILLER], Secretary Babbitt and all the other citizens who have put into this process a positive way to achieve a consensus on the future care of our important natural resources.

Given that, I would urge the other body to move legislation similar if not identical to H.R. 1420, so that we can fairly quickly get a bipartisan, broadly supported piece of legislation to the President for his signature.

I would like to remind everyone that the future of our Nation's 509 national wildlife refuges is at a critical juncture given the system's 100th anniversary in 6 short years. This legislation's focus on conservation, compatible uses such as hunting, fishing, and wildlife observation, and general management practices for the system marks a significant step forward in the care and maintenance of our refuge system.

Mr. HERGER. Mr. Speaker, I strongly support H.R. 1420, The National Wildlife Refuge System Improvement Act of 1997, and take this opportunity to clarify the scope and application of this important legislation.

This Act directly affects 509 wildlife refuges, covering 92 million acres of Federal lands, in all 50 States and territories. These refuges provide enjoyment for millions of Americans each year, while at the same time they protect and preserve vital habitat and species for future generations. Our Federal Government, however, has managed its refuge system for more than 30 years without any clear mission or direction.

H.R. 1420 provides a beacon of light for public lands management on our national wildlife refuges by establishing a mission "to administer a national network of lands and waters for the conservation, management and,



where appropriate, the restoration of fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans." For far too long the Federal agency responsible for maintaining these refuges, the United States Fish and Wildlife Service, has proceeded without direction or instructions on how to manage our national refuges. They have been left to their own whims to make arbitrary decisions regarding who may or may not gain access to our refuge system. Now, local administrators will be provided a clear definition of wildlife-dependent recreational activities that are considered "compatible uses" within our national refuge system.

It is important to note that this legislation applies directly to "wildlife-dependent recreation," and defines this type of recreation as: hunting, fishing, wildlife observation and photography, or environmental education and interpretation. This legislation does not, however, apply to, preclude, or otherwise bar other activities vital to management of our national refuge system. Most particularly, this legislation does not preclude mosquito control activities. Mosquito abatement on our national refuges is integral to providing for the public health and safety of communities in and around the refuge system. Without these important activities our national refuges become breeding grounds for disease carrying mosquitoes that migrate from the refuges, travelling anywhere from 20 to 50 miles, to infect animals and humans who live in neighboring urban and rural communities. Mosquito control activities do not materially interfere with or detract from the fulfillment of the mission or purpose of the refuge system, but they do have a direct positive impact on public health and safety.

I support H.R. 1420 and join with my colleagues in providing common sense direction for management of our national refuge system.

Mr. MILLER of California. Mr. Speaker, I rise in support of H.R. 1420. As my colleagues are aware, I opposed bills last Congress and again in this Congress that would have harmed the 92-million-acre national wildlife refuge system by making recreational uses a purpose of the system and by establishing a process for determining compatible uses that favored some activities over others. These bills also placed new restrictions on the Fish and Wildlife Service in acquiring and managing refuge lands that would have impeded its ability to conserve fish and wildlife.

However, this compromise resolves those concerns in a way that I hope will satisfy the diversity of users of our wildlife refuges, from bird watchers to duck hunters. This bill represents a bona fide compromise that resulted from concessions on both sides. I think perhaps the most important result of this process has been the realization by environmentalists and hunters that many of their interests really do coincide in the long run. The goals they seek and the activities they enjoy are all dependent on our assuring that there are abundant, healthy wildlife populations. I believe H.R. 1420 accomplishes that.

First and foremost, H.R. 1420 builds a solid foundation for managing the refuge system by making conservation the singular, fundamental mission of the system. In support of the mission, the bill requires conservation plans to be developed for each refuge and requires the

Secretary of the Interior to ensure that the biological integrity, diversity, and health of the system are protected. The bill establishes a well-defined process for deciding what uses are compatible with wildlife conservation and the purposes of each refuge. Importantly, no use is allowed on a refuge until it has been determined that the use will not have a tangible adverse impact on the conservation mission of the system or the purposes of the refuge where the activity will take place. Once permitted, compatible activities remain subject to appropriate regulation.

In addition, H.R. 1420 acknowledges the excellent outdoor recreational opportunities provided to the public by the refuge system. The bill gives recreational uses that depend on wildlife—fishing, hunting, nature observation and photography, and environmental education and interpretation—priority over other uses of the system. Of course, these important recreational uses of the system are the result of sound wildlife conservation because they depend on abundant wildlife.

As with any compromise, not every problem can be addressed to everyone's satisfaction. In particular, I want to express my concern that language directing the Secretary of the Interior to provide "increased opportunities for families to experience compatible wildlife-dependent recreation" not be taken as a directive to divert scarce operational funding for the construction of roads, visitor facilities and other amenities. Where appropriate, such amenities provide important public access to the system's wildlife resources, but wildlife and wildlife habitat should come first.

There has also been considerable discussion about the definition of a refuge. The bill's definition is consistent with the Fish and Wildlife Service's interpretation of a refuge as an area in which the United States has a property interest. I think it is important to note that the United States may have an interest in refuge lands that extends beyond a property interest. However, any authority to protect that interest, to the extent it exists, is neither enhanced nor diminished by this legislation.

I would like to commend Secretary Babbitt for taking the time and the initiative to bring disparate interests together to negotiate. I would also like to commend Messrs. DINGELL and YOUNG for their willingness to seek common ground. Although we initially disagreed on how to manage it, they never wavered in their support for the refuge system. The fragile coalition that was built to broker this compromise is likely to be sorely tested in the other body, but if we can hold it together, I believe the refuge system will be the better for it.

Mr. Speaker, this is a good bill. Many of the refuge system's past problems resulted from the individual refuges not being managed as part of a larger system. This bill builds on the original vision of the gentleman from Michigan [Mr. DINGELL] of a true national wildlife refuge system. H.R. 1420 ensures that wildlife refuges, the only public lands dedicated to wildlife conservation, are properly managed and protected, while encouraging greater public appreciation of wildlife and use of the refuge system. Whether you like to shoot birds with a Browning or a Nikon, H.R. 1420 will enhance your appreciation and use of the refuge system. I urge the House to support the bill.

Mr. FARR of California. Mr. Speaker, I support H.R. 1420, because: it clarifies that the

mission of the refuge system, first and foremost, is to conserve fish and wildlife, with wildlife dependent recreation and education secondary, and other uses as its lowest priority; it establishes a more formal and public process to determine what uses are compatible on refuge lands; and it requires comprehensive planning with public participation.

Theodore Roosevelt created the first wildlife refuge over 90 years ago to protect the wildlife at Pelican Island, FL. Today there are 509 wildlife refuges covering approximately 92 million acres of Federal land, protecting a wide variety of fish and wildlife. In my own district, two refuges have been established to protect endangered species: the Ellicott Slough National Wildlife Refuge for the endangered Santa Cruz long-toed salamander, and the Salinas River National Wildlife Refuge for the endangered Smith's blue butterfly.

Americans benefit a lot from their wildlife refuges, enjoying their bounty and beauty for a variety of wildlife-dependent recreation and environmental education. Last year, over 27 million people visited national wildlife refuges to observe and photograph wildlife. Five million anglers and 1.5 million hunters visited the refuges, and nearly 500,000 students visited the refuges for environmental education programs.

However, as I brought up in committee, I believe that the definition of a refuge should be as defined in the dictionary—as a place providing protection or shelter, a haven. Refuges exist to conserve wildlife, first and foremost, and public use at some refuges may not be appropriate. For example, at the Ellicott Slough National Wildlife Refuge in my district, no public recreation takes place, due to the sensitivity of the habitat. The American public benefits greatly even when such restrictions are placed on certain refuges, in the knowledge that biological resources are being conserved, for present and future generations, and may be conserved to such a degree that some day populations may rebound to the point where they are no longer endangered.

I appreciate the work that has gone into arriving at this version of the National Wildlife Refuge System Improvement Act, and strongly support the belief that only uses that do not have a tangible adverse impact on the refuges ability to meet its conservation purpose or the mission of the system be allowed. The bill requires that these decisions be made in writing, based on sound science, and available for public review and comment, codifying Clinton administration policies. I also support the requirement that the Service ensure that adequate funds are available to administer public uses before they can be permitted: in other words that funds aren't diverted from conservation activities to public use management.

I would also further urge that, although specific language to this effect is not present in this version of the bill, as it was in Mr. MILLER's bill, H.R. 952, the Service should improve its wildlife monitoring as part of the comprehensive conservation plans that are required under this bill. A strong wildlife monitoring program is key to ensuring proper species and ecosystem management.

I would like to end with a final, but very important matter: that of funding for our refuge system. Earlier this month, Reps. GILCHREST, YOUNG, MILLER, SAXTON, ABERCROMBIE, and I, along with nearly 50 additional House Members, wrote to Chairman REGULA and Ranking

Democrat YATES to urge increased funding for the refuge system. This funding is absolutely necessary for the conservation goals of our refuges to be adequately addressed, and strongly urge support of this investment through the appropriations process.

Mr. PAUL. Mr. Speaker, I rise today in opposition to H.R. 1420, the Wildlife Refuge System Improvement Act of 1997. In an attempt to assist in the fulfillment of important international treaty obligations of the United States, today we are asked to support a bill which reinforces an unconstitutional program of the Johnson administration, the National Wildlife Refuge Act of 1966.

Rather than this Congress debating the merits or constitutionality of Federal land management programs and the inherently flawed notion of common ownership and the necessarily resulting tragedy of the commons, this bill would amend the 1966 Act to instill internationally centralized management of these wildlife refuges to include requiring the Interior Department, using sound professional judgment, to prepare comprehensive plans detailing the appropriate use of each refuge. Additionally, this bill instills as the mission of the wildlife system the conservation of fish, wildlife, and plants, and their habitats and provides the statutory authority for denying use of the refuges for all noncompatible uses which materially interfere with or detract from the mission. Moreover, H.R. 1420 directs the Interior Secretary to direct the continued growth of the System in a manner that is best designed to accomplish the mission [emphasis added].

Apparently, the era of big government is not over. In fact, in the name of satisfying international treaties, it seems as though even the Great Society is alive and well and growing.

Mr. GOSS. Mr. Speaker, Teddy Roosevelt named Pelican Island, FL as the first United States wildlife refuge. In that tradition, I'm proud that Florida's fourteenth Congressional district boasts four wildlife refuges, including the J.N. "Ding" Darling refuge on my home island of Sanibel.

I want to commend Chairman YOUNG and the Resources Committee; bringing together many diverse interests, they've crafted a bill that meets with the satisfaction of all parties. H.R. 1420, for the first time, establishes a central purpose for the National Wildlife Refuge System, namely, providing a sanctuary for wildlife. It also addresses the issues of compatible uses in a responsible way. As the session continues, the House will undoubtedly face other contentious environmental debates—I am hopeful that we can address those issues in a similarly cooperative and productive manner.

Mr. CUNNINGHAM. Mr. Speaker, I rise today in support of the National Wildlife Refuge System Improvement Act (H.R. 1420). As cochairman of the Congressional Sportsmen's Caucus, I encourage all my colleagues to support this important legislation.

The refuge bill is a proenvironment bill which will protect our Nation's tradition of allowing people using their national recreational areas to hunt, fish, and look at birds, while preserving the environment.

Specifically, H.R. 1420 creates a nationwide set of six purposes for our national refuge system. Our refuge system will now be a dedicated network of lands to conserve and manage fish, wildlife, and plant species; to conserve, manage, and restore fish and wildlife

populations, plant communities, and refuge habitats; to preserve, restore, and protect endangered and threatened species; to conserve and manage migratory birds, anadromous fish and marine mammals; to allow compatible wildlife-dependent recreation, which includes hunting, fishing, wildlife observation, and environmental education; and to fulfill our international treaty obligations.

This bill also requires the U.S. Fish and Wildlife Service to create conservation plans for each of America's 511 refuges within the next 15 years. These plans will help Americans understand the goals of our refuges and provide a better accounting of our national treasures.

It is also important to recognize what this bill does not do. This bill does not permit hunting and fishing on every wildlife refuge. The individual refuge manager must find that these activities are compatible with the purpose of the refuge. In addition, this bill sets clear guidelines and standards for managers to determine compatible uses. This bill does not permit non-wildlife activities such as mining, jet skiing, or oil and gas development. This bill does not increase or decrease the size of any of our 511 refuges.

This bill is the first significant refuge reform bill considered by Congress since the original refuge legislation in 1966. This legislation is supported by many outside organizations, including the International Association of Fish and Wildlife Agencies, the Wildlife Legislative Fund of America, American Sportfishing Association, Safari Club International, and many other groups.

I hope that all my colleagues recognize how important this legislation is and vote for H.R. 1420.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and pass the bill, H.R. 1420, as amended.

The question was taken.

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### RAGGEDS WILDERNESS, WHITE RIVER NATIONAL FOREST BOUNDARY ADJUSTMENT

Mrs. CHENOWETH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1019) to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, CO, to correct the effects of earlier erroneous land surveys.

The Clerk read as follows:

H.R. 1019

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. BOUNDARY ADJUSTMENT AND LAND CONVEYANCE, RAGGEDS WILDERNESS, WHITE RIVER NATIONAL FOREST, COLORADO.

(a) FINDINGS.—The Congress finds the following:

(1) Certain landowners in Gunnison County, Colorado, who own real property adjacent to the portion of the Raggeds Wilderness in the White River National Forest, Colorado, have occupied or improved their property in good faith and in reliance on erroneous surveys of their properties that the landowners reasonably believed were accurate.

(2) In 1993, a Forest Service resurvey of the Raggeds Wilderness established accurate boundaries between the wilderness area and adjacent private lands.

(3) The resurvey indicated that a small portion of the Raggeds Wilderness is occupied by adjacent landowners on the basis of the earlier erroneous land surveys.

(b) PURPOSE.—It is the purpose of this section to remove from the boundaries of the Raggeds Wilderness certain real property so as to permit the Secretary of Agriculture to use the authority of Public Law 97-465 (commonly known as the Small Tracts Act; 16 U.S.C. 521c-521i) to convey the property to the landowners who occupied the property on the basis of erroneous land surveys.

(c) BOUNDARY ADJUSTMENT.—The boundary of the Raggeds Wilderness, Gunnison and White River National Forests, Colorado, as designated by section 102(a)(16) of Public Law 96-560 (16 U.S.C. 1132 note), is hereby modified to exclude from the area encompassed by the wilderness a parcel of real property approximately 0.86-acres in size situated in the SW¼ of the NE¼ of Section 28, Township 11 South, Range 88 West of the 6th Principal Meridian, as depicted on the map entitled "Encroachment-Raggeds Wilderness", dated November 17, 1993. Such map shall be on file and available for inspection in the appropriate offices of the United States Forest Service, Department of Agriculture.

(d) CONVEYANCE OF LAND REMOVED FROM WILDERNESS AREA.—The Secretary of Agriculture shall use the authority provided by Public Law 97-465 (commonly known as the Small Tracts Act; 16 U.S.C. 521c-521i) to convey all right, title, and interest of the United States in and to the real property excluded from the boundaries of the Raggeds Wilderness under subsection (c) to those owners of real property in Gunnison County, Colorado, whose real property adjoins the excluded lands and who have occupied the excluded lands in good faith reliance on an erroneous survey.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho [Mrs. CHENOWETH] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, H.R. 1019 provides for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest in Colorado, to correct the effects of earlier erroneous land surveys. This bill is identical to legislation which passed within the House of Representatives last year by voice vote. However, the legislation was not acted upon by the Senate prior to the conclusion of the 104th Congress.

In 1993, following a boundary survey, the White River National Forest discovered an encroachment into the