

(C) specifications meeting all applicable Federal, State, and local building codes and laws;

(D) arrangements for operations and maintenance upon completion of construction;

(E) a description of the Center collections and educational programming;

(F) a plan for design of exhibits including, but not limited to, the selection of collections to be exhibited, and the providing of security, preservation, protection, environmental controls, and presentations in accordance with professional museum standards;

(G) an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to site selection and public access to the facilities; and

(H) a financing plan developed jointly by the Navajo Nation and the Ute Mountain Ute Tribe outlining the long-term management of the Center, including—

(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;

(ii) the payment of the operating costs of the Center through the assessment of fees or other income generated by the Center;

(iii) a strategy for achieving financial self-sufficiency with respect to the Center by not later than 5 years after the date of enactment of this Act; and

(iv) appropriate vendor standards and business activities at the Four Corners Monument Tribal Park.

SEC. 6. SELECTION OF GRANT RECIPIENT.

The Four Corners Heritage Council may make recommendations to the Secretary on grant proposals regarding the design of facilities at the Four Corners Monument Tribal Park.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATIONS.**—There are authorized to be appropriated to the Department of the Interior to carry out this Act—

(1) \$2,000,000 for fiscal year 2000; and

(2) \$50,000 for each of fiscal years 2001 through 2005 for maintenance and operation of the Center, program development, or staffing in a manner consistent with the requirements of section 5(b).

(b) **CARRYOVER.**—Funds made available under subsection (a)(1) that are unexpended at the end of the fiscal year for which those funds are appropriated, may be used by the Secretary through fiscal year 2002 for the purposes for which those funds are made available.

(c) **RESERVATION OF FUNDS.**—The Secretary may reserve funds appropriated pursuant to this Act until a grant proposal meeting the requirements of this Act is submitted, but no later than September 30, 2001.

SEC. 8. DONATIONS.

Notwithstanding any other provision of law, for purposes of the planning, construction, and operation of the Center, the Secretary may accept, retain, and expend donations of funds, and use property or services donated, from private persons and entities or from public entities.

SEC. 9. STATUTORY CONSTRUCTION.

Nothing in this Act is intended to abrogate, modify, or impair any right or claim of the Navajo Nation or the Ute Mountain Ute Tribe, that is based on any law (including any treaty, Executive order, agreement, or Act of Congress).

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS NATIONAL HISTORIC SITE ACT OF 1999

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 548) to establish the Fallen Timbers Battlefield and Fort Miamis National Historical Site in the State of Ohio, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

Mr. GEORGE MILLER of California. Mr. Speaker, reserving the right to object, I do so for the purposes of yielding to the gentleman so he may explain the bill.

Mr. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman yielding. Mr. Speaker, S. 548 introduced by Senator MIKE DEWINE from Ohio and the gentlewoman from Ohio (Ms. KAPTUR), who have worked so diligently on this bill, authorizes the establishment of the Fallen Timbers Battlefield and Fort Miamis National Historical Site in Ohio.

The historical site shall be established as an affiliated area of the national park system and shall be administered in a manner consistent with the National Park Service.

The Metropolitan Park District of the Toledo area would be established as the management entity and is responsible for developing a management plan for the site. The Secretary of the Interior will provide both financial and technical assistance to implement the management plan and develop programs to preserve and interpret the historical, cultural, natural, recreational and scenic resources of the site.

The National Park Service completed a special resource study in October of 1998 of the site, which is already designated as a national historic landmark, and recommended affiliate status.

The bill has support from the National Park Service and the minority, and I urge my colleagues to support this bill.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentlewoman from Ohio, who has worked so very, very hard on this legislation.

Ms. KAPTUR. Mr. Speaker, I just wanted to, as we close out this first session of the 106th Congress, and we close out this century, extend my deepest appreciation on behalf of the people of Ohio and, by affiliation, the people of Michigan, Indiana and Illinois to the chairman, the gentleman from Utah (Mr. HANSEN), who could not have been

more diligent in working with us, and the ranking member, the gentleman from California (Mr. GEORGE MILLER), to permit the people of our region of the United States to tell the full story of our history, the battle that occurred on this site and the assumption of the northwest territory and the opening of our entire region of the Nation to settlement.

I cannot thank the gentlemen enough on behalf of the people of the Buckeye State and our adjoining sister States for making this possible, before this century ends.

Mr. Speaker, the bill before us today is a matter of great significance to the American Midwest and to the 9th District of Ohio in particular. The bill under consideration today, Senator DEWINE's S. 548, is the companion to legislation I have introduced in the House, H.R. 868. I wish to thank Senator DEWINE for taking the lead on this measure in the Senate.

Some authorities place the Battle of Fallen Timbers among the three most important battles in the formation of the United States, alongside the battles of Yorktown and Gettysburg. We should note that the Battle of Fallen Timbers did secure and open a large territory—now embracing parts of Ohio, Michigan, Indiana, and Illinois—for new settlements in our fledgling nation.

Another, contemporary battle should also be recognized here today. That is the struggle for national recognition of the Battle of Fallen Timbers as a keystone in the Maumee Valley and the Midwest.

In 1991, I was able to secure authorization in the Interior Appropriations bill for the National Park Service to assess the Maumee River Heritage Corridor for historically significant sites. The first site assessed was the Fallen Timbers battlefield.

We will hear later this morning from two people who have served in that more recent battle, Dr. G. Michael Pratt from Heidelberg College and Jean Ward, Director of Metroparks of the Toledo Area. Dr. Pratt heads the Center for Historic and Military Archeology. He led the archaeological study that definitively located the Fallen Timbers Battlefield site. Jean Ward has served the Toledo area as director of its park system for more than 30 years. Toledo Metroparks manages over 7,000 acres of parkland and historic sites in Lucas County.

THE BATTLE OF FALLEN TIMBERS

In 1794, the line of control between British forces and their Native American allies and the forces of the United States lay across the "Foot of the Rapids" on the Maumee River. On August 20, 1794, General Anthony Wayne led his legion down the Maumee River valley from near what is now Waterville, Ohio. Coming to an area where a recent storm had toppled much of the forest, Wayne's leading elements were engaged by about 1,100 warriors from a confederacy of Ohio and Great Lakes tribes. The U.S. soldiers fell back to their main lines and a pitched battle surged back and forth over the "fallen timbers." Finally, a concerted charge by the entire legion drove the Native Americans back to within sight of Fort Miamis to the northeast, and their resistance dissipated.

The Native American coalition included members of the Wyandot, Miami, Ottawa, Delaware, Mingo, Shawnee, Potawatomi, and

Chippewa tribes as well as a few Canadian militia.

The battle was a clear victory for the United States, a policy failure for the British, and a disaster for the Native American Confederacy. The resultant Treaty of Greenville in 1795 gained the City of Detroit, then the largest city on the Great Lakes and secured much of the Northwest Territory for the growing United States.

I am holding here a typical U.S. Department of Defense sketch of the Battle of Fallen Timbers that has been widely displayed in Army installations across our nation for decades.

In addition to the battlefield, the Historic Site would include the nearby site of Fort Miamis, which played a role not only in the Wayne campaign but also in the War of 1812. In the spring of 1813, British forces landed troops and artillery on the site of the deteriorated Fort Miamis on the lower Maumee River. Together with Shawnee Chief Tecumseh, the British twice attacked the American garrison at Fort Meigs—another military outpost along the Maumee River—and twice were repulsed. These U.S. victories at Fort Meigs frustrated British attempts to regain the Northwest Territory and were a prelude to the victory of Commodore Perry's Battle of Lake Erie victory later in 1813, a large mural of which hangs just outside the House chamber.

THE BATTLE FOR FALLEN TIMBERS

The people of northwest Ohio have long held a strong interest in the history of our region and, in particular, in the battle that won the territory for the United States. In the mid-1930's, a 9-acre site on the banks of the Maumee River then thought to be the location of the Battle of Fallen Timbers was dedicated and a statue commemorating the battle erected. As interest in preserving both our local history and natural areas grew earlier this decade, I was able to secure the authorization for a resource study of the Fallen Timbers area by the National Park Service as part of a possible Maumee River Valley Heritage Corridor that lies between Toledo, Ohio, and Fort Wayne, Indiana. It remains one of the most scenic and bucolic stretches in the Midwest.

Beginning in 1995, an archaeological investigation led by Dr. Pratt set out to identify the exact location of the battle. Dr. Pratt's excellent work has proven conclusively that the battle actually took place some distance from the existing Fallen Timbers Monument. Development is beginning to encroach on the battlefield site, but a significant portion of the core battlefield is still in agricultural use and owned by the City of Toledo.

It is that site, along with the Monument site and the Fort Miamis site, that this legislation would establish as a National Historic Site and an interpretive locus for the entire heritage corridor.

Most impressive, however, has been the outpouring of grassroots interest in the Battle of Fallen Timbers and the preservation of its sites. Our office has received hundreds of letters supporting preservation of these sites including this batch of drawings of Fort Miamis sent by the students at the Fort Miami School in Maumee, Ohio. Local press coverage has been extensive.

We should particularly note the efforts of Marianne Duvendack and the Fallen Timbers Battlefield Commission. The Commission has produced a flyer describing the battle and its historic significance. It has also produced an

excellent video presentation in support of preservation.

Another person whose efforts must not be forgotten is the former Mayor of the City of Maumee, Steve Pauken. His tireless efforts contributed as much as anyone's to saving Fallen Timbers.

Others that have contributed financial, individual, and organizational resources to the effort include the Ohio Historical Society, the City of Maumee, the City of Toledo, the Maumee Valley Heritage Corridor, Heidelberg College, Toledo Metroparks, and the Toledo Blade and its editorial staff, particularly Ralph Johnson.

The Fallen Timbers Battlefield was listed as number two on the 1996 list of the ten most endangered National Historic Landmarks in a report by the National Park Service. It was included in the 1959 National Survey of Historic Sites and Buildings as one of 22 sites representing the national historic theme "The Advance of the Frontier, 1763–1830." It was designated a National Historic Landmark in 1960 as "the culminating event which demonstrated the tenacity of the American people in their efforts of western expansion through the struggle for dominance in the Old Northwest Territory."

The National Park Service Resource Study concluded that the Fallen Timbers Battlefield site would be "eligible, suitable, and feasible for recognition as an affiliated area of the National Park System if the 185-acre core battlefield can be acquired for preservation purposes." The House should know that we have the commitments of the State of Ohio, the City of Toledo, and the City of Maumee to see this project through to completion.

Mr. Speaker, I urge all of our colleagues to support this bill which helps complete the appreciation of our nation's early history.

Mr. GEORGE MILLER of California. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 548

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999".

SEC. 2. DEFINITIONS.

As used in this Act:

(a) DEFINITIONS.—

(1) The term "historic site" means the Fallen Timbers Battlefield and Monument and Fort Miamis National Historic Site established by section 4 of this Act.

(2) The term "management plan" means the general management plan developed pursuant to section 5(d).

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "management entity" means the Metropolitan Park District of the Toledo Area.

(5) The term "technical assistance" means any guidance, advice, or other aid, other than financial assistance, provided by the Secretary.

SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The 185-acre Fallen Timbers Battlefield is the site of the 1794 battle between General Anthony Wayne and a confederation of Native American tribes led by Little Turtle and Blue Jacket.

(2) Fort Miamis was occupied by General Wayne's legion from 1796 to 1798.

(3) In the spring of 1813, British troops, led by General Henry Proctor, landed at Fort Miamis and attacked the fort twice, without success.

(4) Fort Miamis and Fallen Timbers Battlefield are in Lucas County, Ohio, in the city of Maumee.

(5) The 9-acre Fallen Timbers Battlefield Monument is listed as a National Historic Landmark.

(6) Fort Miamis is listed in the National Register of Historic Places as a historic site.

(7) In 1959, the Fallen Timbers Battlefield was included in the National Survey of Historic Sites and Buildings as 1 of 22 sites representing the "Advance of the Frontier, 1763–1830".

(8) In 1960, the Fallen Timbers Battlefield was designated as a National Historic Landmark.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize and preserve the 185-acre Fallen Timbers Battlefield site;

(2) to recognize and preserve the Fort Miamis site;

(3) to formalize the linkage of the Fallen Timbers Battlefield and Monument to Fort Miamis;

(4) to preserve and interpret United States military history and Native American culture during the period from 1794 through 1813;

(5) to provide assistance to the State of Ohio, political subdivisions of the State, and nonprofit organizations in the State to implement the management plan and develop programs that will preserve and interpret the historical, cultural, natural, recreational and scenic resources of the historic site; and

(6) to authorize the Secretary to provide technical assistance to the State of Ohio, political subdivisions of the State, and nonprofit organizations in the State, including the Ohio Historical Society, the city of Maumee, the Maumee Valley Heritage Corridor, the Fallen Timbers Battlefield Commission, Heidelberg College, the city of Toledo, and the Metropark District of the Toledo Area, to implement the management plan.

SEC. 4. ESTABLISHMENT OF THE FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS NATIONAL HISTORIC SITE.

(a) IN GENERAL.—There is established, as an affiliated area of the National Park System, the Fallen Timbers Battlefield and Fort Miamis National Historic Site in the State of Ohio.

(b) DESCRIPTION.—The historic site is comprised of the following as generally depicted on the map entitled Fallen Timbers Battlefield and Fort Miamis National Historic Site-proposed, number NHS-FTFM, and dated May 1999:

(1) The Fallen Timbers site, comprised generally of the following:

(A) The Fallen Timbers Battlefield site, consisting of an approximately 185-acre parcel located north of U.S. 24, west of U.S. 23/I-475, south of the Norfolk and Western Railroad line, and east of Jerome Road.

(B) The approximately 9-acre Fallen Timbers Battlefield Monument, located south of U.S. 24; and

(2) The Fort Miamis Park site.

(c) MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 5. ADMINISTRATION OF HISTORIC SITES.

(a) **APPLICABILITY OF NATIONAL PARK SYSTEM LAWS.**—The historic site shall be administered in a manner consistent with this Act and all laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1, 2-4; commonly known as the National Park Service Organic Act), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.; commonly known as the Historic Sites, Buildings, and Antiquities Act).

(b) **COOPERATIVE AGREEMENT.**—The Secretary may enter into a cooperative agreement with the management entity to provide technical assistance to ensure the marking, research, interpretation, education and preservation of the Fallen Timbers Battlefield and Fort Miamis National Historic Site.

(c) **REIMBURSEMENT.**—Any payment made by the Secretary pursuant to this section shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purposes of this section as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(d) GENERAL MANAGEMENT PLAN.

(1) **IN GENERAL.**—The Secretary, in consultation with the management entity and Native American tribes whose ancestors were involved in events at these sites, shall develop a general management plan for the historic site. The plan shall be prepared in accordance with section 12(b) of Public Law 91-383 (16 U.S.C. 1a-1 et seq.; commonly known as the National Park System General Authorities Act).

(2) **COMPLETION.**—The plan shall be completed not later than 2 years after the date funds are made available.

(3) **TRANSMITTAL.**—Not later than 30 days after completion of the plan, the Secretary shall provide a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS

There is authorized to be appropriated such funds as are necessary to carry out this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING SECRETARY OF THE INTERIOR TO MAKE TECHNICAL CORRECTIONS TO MAP RELATING TO COASTAL BARRIER RESOURCES SYSTEM

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the bill (H.R. 34) to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

□ 1930

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from New Jersey?

Mr. GEORGE MILLER of California. Mr. Speaker, reserving the right to ob-

ject, I do so for the purpose of asking the gentleman from New Jersey to explain his unanimous consent request.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, coastal barriers are dynamic ecosystems and are prone to frequent moving and shifting as the result of storms and other natural processes. Despite their vulnerability, these areas are attractive locations to live in and are popular for vacation destinations.

Congress approved the Coastal Barrier Resources Act of 1982 to protect these areas by establishing a system of barrier units that are precluded from receiving Federal development assistance, including Federal flood insurance. The System is administered by the Fish and Wildlife Service.

Maps depicting the various units are adopted by Congress, and any changes to the boundaries of System units require legislative action. The System includes 274 otherwise protected areas. Otherwise protected areas include lands that are held for conservation purposes by the Federal, State, and local governments or private conservation groups.

Mr. Speaker, H.R. 34 adopts maps drawn by the Fish and Wildlife Service that correctly portray the boundaries of the Cayo Costa State Park in Florida, and this is supported by the Fish and Wildlife Service and the Committee on Resources majority and minority.

H.R. 34 passed the House of Representatives as part of H.R. 1431 on September 21, 1999.

Mr. Speaker, I believe H.R. 34 corrects a true mapping error, and I strongly urge the passage of this legislation.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, further reserving my right to object, this bill would authorize a minor map correction to change the boundaries of an otherwise protected area (OPA) to make these boundaries coterminous with the boundaries of a State park. This correction would exclude 14 acres of private land from the OPA.

The Committee on Resources has thoroughly reviewed the underlying justification for this map correction and has worked closely with the Fish and Wildlife Service throughout. The Committee has found nothing to prove conclusively that Congress intended to include private lands abutting the boundaries of the State park when it created this OPA in 1990. Also, there is reasonable doubt that these private lands would have qualified for inclusion under the Fish and Wildlife Service's designation criteria for otherwise protected areas or undeveloped coastal barriers.

This bill will rectify a previous mapping error by the Fish and Wildlife Service and bring this OPA into conformance with congressional intent to use existing park boundaries as the basis for OPA boundaries. The Administration supports this legislation and I urge that the House pass the bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

H.R. 34

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

SECTION 1. CORRECTIONS TO MAPS.

(a) **IN GENERAL.**—The Secretary of the Interior shall, before the end of the 30-day period beginning on the date of the enactment of this Act, make such corrections to the map described in subsection (b) as are necessary to ensure that depictions of areas on that map are consistent with the depictions of areas appearing on the map entitled "Amendments to the Coastal Barrier Resources System", dated _____, and on file with the Committee on Resources of the House of Representatives.

(b) **MAP DESCRIBED.**—The map described in this subsection is the map that—

(1) is included in a set of maps entitled "Coastal Barrier Resources System", dated November 2, 1994; and

(2) relates to unit P19-P of the Coastal Barrier Resources System.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 83. Joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes.

DIRECTING SECRETARY OF THE INTERIOR TO MAKE CORRECTIONS TO MAP RELATING TO COASTAL BARRIER RESOURCES SYSTEM

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 574) to direct the Secretary of the Interior to make corrections to a map relating to the Coastal Barrier Resources System, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. GEORGE MILLER of California. Mr. Speaker, reserving the right to object, I do so for the purpose of asking the gentleman from New Jersey to explain his unanimous consent request.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, S. 574 is a second correction to the Coastal Barrier Resources System. In this case, the proposed change is to a unit affecting the Cape Henlopen State Park in Delaware.

This modification will remove approximately 32 acres of this privately