

Furthermore, with a maintenance backlog of over \$630 million, property used for a concession operation will never become a priority.

During committee consideration, we learned there are about 20 wildlife refuges that offer various concession services to the visiting public. These services range from canoe rentals, bookstores, nature guides and ferries to remote refuge areas. In almost every case concessionaires are using property owned by the Fish and Wildlife Service that is in poor condition.

In addition, refuge managers have signed a number of creative legal arrangements with concessionaires. These have included contracts, special use permits, leases and cooperative agreements. In some cases, these agreements stipulate the obligations of each party, but regrettably these details are lacking in a majority of those arrangements. This means that decisions can be arbitrary by the refuge manager at times or, in fact, concessionaires could damage essential habitat.

This legislation will solve those problems by establishing for the first time a workable, consistent and defensible refuge concession policy. Under H.R. 1370, the Fish and Wildlife Service will be allowed to credit a concessionaire for any fees they pay in the future. This money will be retained at the local refuge and it can be used to build, maintain and repair structural problems, to restore habitat and to protect refuge resources. The Service will determine if a certain repair is necessary, and they will obtain estimates for any proposed work.

In addition, the bill requires the Director of the Fish and Wildlife Service to establish a standardized concession contract within 18 months of the enactment of this bill. This contract will be used by all new and existing concessionaires in the future.

This provision provides consistency throughout the refuge system, stipulates that contracts are issued under a competitive bidding process and clarifies the financial obligations that an entrepreneur must agree to before undertaking a concession.

Finally, the bill requires an annual report on the number of refuge units with concessions, a description of services offered, an accounting of fees paid by the concessionaires and a summary of all improvements made in both visitor services and structures within the refuge system. This is similar to the concessions policy Congress developed and passed and is now law regarding our National Park System. It is way past time that we do the same for our Fish and Wildlife System.

I believe this legislation will encourage improvements within our refuge system. It will foster the growth of additional concession services, and it will enhance the public's ability to appreciate the natural wonders of our National Wildlife Refuge System.

I want to thank all of my colleagues, especially the subcommittee chairman,

the gentleman from Maryland (Mr. GILCHREST), for their hard work on this important legislation, and I urge an aye vote on H.R. 1370.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, the bill that is before the House today is considerably different than the legislation introduced last year. It reflects the hard work of my colleague the gentleman from Indiana (Mr. SOUDER) and the careful consideration of the Committee on Resources, and as presently amended, H.R. 1370 has the potential to enhance the visiting public's experience at our national wildlife refuges. I urge my colleagues to support this legislation.

The National Wildlife Refuge System is presently saddled with a significant \$1.3 billion operations and maintenance budget backlog. Concessionaires which operate in the refuges and offer a wide variety of services, such as we have heard, are uniquely affected by this backlog.

Presently, most concessionaires pay annual franchise fees to the National Wildlife Refuge Fund. The U.S. Fish and Wildlife Service, which runs the refuge system and owns the land and facilities, is responsible for maintaining all facilities. However, the Service gives low priority to concessionaire facilities when faced with other competing budget demands within the system. This inferior status leaves concessionaire facilities lacking and discourages concessionaires from using the refuges and providing services to visitors.

This legislation would allow the concessionaires to make necessary maintenance repairs or visitor facility improvements in lieu of cash payments for concession fees and would address simultaneously the budget backlog and improve the quality of visitor facilities.

The scope of this new permissive authority has been limited to maintenance backlog projects and other types of small scale improvement projects that increase the visitor's experience. Also, repairs or improvements would be required to be made at the refuge or refuge complex where the concession operates. I note that this legislation would not authorize the construction of any new facilities.

H.R. 1370 has been further amended to address the presently haphazard administrative process by which the Service permits concessionaires to operate within the refuge system. This legislation would require the Service to develop a new standardized concession contract for all national wildlife refuge concession activities. All concession operations would be required to be enrolled under these new contracts within 3 years.

The Service also will be required to award all contracts through competitive bidding, although the bill would exempt small scale retail operations run by nonprofit volunteer organizations, and to ensure accountability the Service will be required to forward to Congress an annual oversight report on all concession contract activities.

Perhaps most important, the bill has been amended to specify that all title interests to property and facilities and any interest in repairs or improvements made by concessionaires will remain with the Federal Government. Furthermore, H.R. 1370 states explicitly that concessionaires do not acquire any compensable interest in the property and facilities they operate or in any repair or improvement they might make.

In closing, H.R. 1370 will provide additional financial flexibility to address the chronic maintenance backlog hindering visitor services at numerous refuges. This legislation will bring much needed coherence to the administration of concession contracts, enhance the public's enjoyment and appreciation of our National Wildlife Refuge System and prevent the future establishment of concession activities that are incompatible with the refuge system's wildlife first mission.

I want to once again commend our colleague the gentleman from Indiana (Mr. SOUDER) on this legislation. I urge Members to support it and to improve our national wildlife refuges.

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

Mr. SOUDER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 1370, 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.

The title of the bill was amended so as to read: "A bill to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties, and for other purposes."

A motion to reconsider was laid on the table.

NUTRIA ERADICATION AND MARSHLAND RESTORATION ACT

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4044) to authorize the Secretary of the Interior to provide assistance to the State of Maryland for implementation of a program to eradicate nutria and restore marshland damaged by nutria, as amended.

The Clerk read as follows:

H.R. 4044

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

SECTION 1. FINDINGS AND PURPOSES.

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

(1) Wetlands and tidal marshes of the Chesapeake Bay and in Louisiana provide significant cultural, economic, and ecological benefits to the Nation.

(2) The South American nutria (*Myocastor coypus*) is directly contributing to substantial marsh loss in Maryland and Louisiana on Federal, State, and private land.

(3) Traditional harvest methods to control or eradicate nutria have failed in Maryland and have had limited success in the eradication of nutria in Louisiana. Consequently, marsh loss is accelerating.

(4) The nutria eradication and control pilot program authorized by Public Law 105-322 is to develop new and effective methods for eradication of nutria.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland and the State of Louisiana for a program to implement measures to eradicate or control nutria and restore marshland damaged by nutria.

SEC. 2. NUTRIA ERADICATION PROGRAM.

(a) GRANT AUTHORITY.—The Secretary of the Interior (in this section referred to as the “Secretary”), subject to the availability of appropriations, may provide financial assistance to the State of Maryland and the State of Louisiana for a program to implement measures to eradicate or control nutria and restore marshland damaged by nutria.

(b) GOALS.—The goals of the program shall be to—

- (1) eradicate nutria in Maryland;
- (2) eradicate or control nutria in Louisiana and other States; and
- (3) restore marshland damaged by nutria.

(c) ACTIVITIES.—In the State of Maryland, the Secretary shall require that the program consist of management, research, and public education activities carried out in accordance with the document published by the United States Fish and Wildlife Service entitled “Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds”, dated March 2002.

(d) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the costs of the program may not exceed 75 percent of the total costs of the program.

(2) IN-KIND CONTRIBUTIONS.—The non-Federal share of the costs of the program may be provided in the form of in-kind contributions of materials or services.

(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 5 percent of financial assistance provided by the Secretary under this section may be used for administrative expenses.

(f) AUTHORIZATION OF APPROPRIATIONS.—For financial assistance under this section, there is authorized to be appropriated to the Secretary \$4,000,000 for the State of Maryland program and \$2,000,000 for the State of Louisiana program for each of fiscal years 2003, 2004, 2005, 2006, and 2007.

SEC. 3. REPORT.

No later than 6 months after the date of the enactment of this Act, the Secretary and the National Invasive Species Council shall—

(1) give consideration to the 2002 report for the Louisiana Department of Wildlife and Fisheries titled “Nutria in Louisiana”, and the 2002 document entitled “Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds”; and

(2) develop, in cooperation with the State of Louisiana Department of Wildlife and Fisheries and the State of Maryland Department of Natural Resources, a long-term nutria control or eradication program, as appropriate, with the objective to significantly reduce and restore the damage nutria cause to coastal wetlands in the States of Louisiana and Maryland.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

The sponsor of this legislation, the gentleman from Maryland (Mr. GILCHREST), the Subcommittee on Fisheries Conservation, Wildlife and Oceans chairman, has been working on this issue for many years. In fact, in 1998 Congress enacted a law he sponsored that created the Maryland Nutria Control Pilot Project, and let me briefly, for those who are not aware, as I was not, this is a nutria. It is basically a South American, somewhat of an overgrown rat, smaller sized groundhog, but it is a nonnative species that is destroying the environment in certain areas of our country.

Since that time, Federal, State and local partners have worked together to develop an effective strategy on how to address the tremendous amount of environmental destruction that is being caused by an increasing population of a semi-aquatic, non-native rodent known as nutria. This partnership has conducted various studies on the rate of wetland destruction, the reproductive capacity of nutria and alternatives to control or eradicate this species from the Blackwater National Wildlife Refuge, the Fishing Bay Wildlife Management Area and Tudor Farms.

The results of the environmental impact studies were shocking. Nutria have no natural predators in Maryland and they have already consumed nearly half of the wetland marshlands at the Blackwater National Wildlife Refuge. The remaining acreage is in serious peril. Unless nutria are stopped, they will continue to destroy wetlands at Blackwater, the other eight wildlife refuges on the Delmarva Peninsula and marshlands throughout the Atlantic Coast. One of the problems we have often in the Fish and Wildlife Service is when the action of humans alter the environment, such as bringing in non-native species, we often have to intervene to bring back the national environment which would be destroyed.

H.R. 4044 will authorize Public Law 105-322, and it will implement the next step in the process, which is the eradication of nutria and the restoration of wetlands which are vital to the survival of millions of migratory waterfowl, bald and golden eagles and the neotropical songbirds. In their testimony, the U.S. Fish and Wildlife Service stated that: “The Service recog-

nizes the need to continue cooperative efforts to eradicate nutria in the Chesapeake Bay region and will continue its commitment as a key Federal member of the nutria eradication partnership.”

At the full committee markup of this legislation, the gentleman from Louisiana (Mr. TAUZIN) successfully offered an amendment to expand the scope of this measure to address nutria in the State of Louisiana. According to the Louisiana Department of Wildlife and Fisheries, these pesky rodents have damaged or destroyed over 100,000 acres of wetlands in their State. Despite extensive efforts and the consumption of thousands of nutria by American alligators, Louisiana’s attempt to control their growing nutria population have proven ineffective.

Under the terms of the modified bill, the Secretary of the Interior will undertake steps to control or eradicate nutria in the two States and together with the National Invasive Species Council develop a long-term nutria control and eradication program.

Mr. Speaker, H.R. 4044 is a carefully crafted bill that will help to solve a serious problem facing Maryland’s Eastern Shore and Louisiana’s marshlands.

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Furthermore, it will serve as a model for other States that may face the prospect of having to fight against an invading population of nutria. I urge an “aye” vote on H.R. 4044.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 4044, legislation that would authorize financial assistance to the States of Maryland and Louisiana to support efforts to eradicate nutria and restore marshland ecosystems.

There is little doubt that nutria, a large member of the rodent family introduced from South America into the United States in the 1930s, has significantly ruined or destroyed coastal wetland habitats in both Maryland and Louisiana.

The range of distribution of this invasive species continues to expand ominously as it searches out new marsh habitat for forage, shelter, and breeding. The need for direct action to address this environmental threat is real and compelling.

H.R. 4044 builds upon the measured success of a pilot program authorized in 1998 which helped develop new methods and strategies for the eradication of nutria and the Chesapeake and Delaware Bay watersheds.

It is hoped that the management, research, and public outreach activities authorized in this bill will enable wildlife biologists in both Maryland and

Louisiana to finally get a handle on controlling the widespread environmental damage caused by this noxious aquatic pest.

I urge Members also to support this important invasive-species legislation.

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

Mr. SOUDER. I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 4044, 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.

The title of the bill was amended so as to read:

“A bill to authorize the Secretary of the Interior to provide assistance to the State of Maryland and the State of Louisiana for implementation of a program to eradicate or control nutria and restore marshland damaged by nutria, and for other purposes.”.

A motion to reconsider was laid on the table.

WACO MAMMOTH SITE AREA INTERIOR STUDY ACT

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1925) to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1925

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

SECTION 1. STUDY AND REPORT REGARDING WACO MAMMOTH SITE AREA.

(a) *STUDY.*—The Secretary of the Interior, in consultation with the State of Texas, the city of Waco, and other appropriate organizations, shall carry out a special resource study regarding the national significance, suitability, and feasibility of designating the Waco Mammoth Site Area located in the city of Waco, Texas, as a unit of the National Park System.

(b) *STUDY PROCESS AND COMPLETION.*—Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct and completion of the study required by this section.

(c) *SUBMISSION OF STUDY RESULTS.*—Not later than 3 years after funds are first made available for this section, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

H.R. 1925, introduced by my friend and colleague, the gentleman from Texas (Mr. EDWARDS), would direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System.

Located near the confluence of the Brazos and Bosque Rivers, the Mammoth Site has become internationally known, as it contains the remains of the largest known herd of Colombian mammoths, warm weather cousins to the woolly mammoth, dying from the same event. To date, 22 mammoths have been found at the site that date back 28,000 years.

Mr. Speaker, this bill is supported by the majority and minority of the committee. In addition, the bill is supported by the administration, with the ongoing caveat that the maintenance backlog be addressed first.

I would like to add my personal congratulations and interest in this. When I was student body president at Indiana Purdue, Fort Wayne, through the geology club they promoted the nickname “The Mastedons.” It was my honor to drive through, over the objection of many, mastedons as the school name, which has stood for over 30 years. They are kind of big cousins to the mammoths.

So I am glad to see we are working to preserve this site so that we can have this for future generations to understand better the natural processes that occurred in this country and the creatures that were here before us. So, Mr. Speaker, I urge my colleagues to support H.R. 1925, as amended.

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

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

Mr. Speaker, H.R. 1925, introduced by my good friend and colleague, the gentleman from Texas (Mr. EDWARDS), directs the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site in Waco, Texas, as a unit of the National Park System.

The Waco Mammoth Site is believed to contain the remains of the largest concentration of mammoths killed during a single event. The site is located close to the confluence of the Brazos and Bosque Rivers near the city of Waco, Texas. The discovery of these mammoth remains has received international attention and Baylor University in the City of Waco have been working to protect the site.

In hearings before the Committee on Resources, we received testimony on the unique paleontological resources found on this site. The study called for by H.R. 1925 will examine what role, if any, that the National Park Service can play in the protection and interpretation of these unique resources.

Mr. Speaker, I want to commend my colleague, the gentleman from Texas (Mr. EDWARDS). I support the bill, as

amended, and look forward to its passage by the House today.

Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I want to first thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for yielding me this time and for her courtesy and leadership on this legislation. I also want to commend and thank my colleague, the gentleman from Indiana (Mr. SOUDER), for his courtesies, his comments, as well as his leadership and long understanding of the importance of these types of historic sites in our country as a way to educate future generations of young people in America about our history.

Mr. Speaker, H.R. 1925 is called the Waco Mammoth Site Study Bill; and as mentioned, it authorizes the study by the National Park Service to consider including the Waco Mammoth Site as a unit in the National Park System. Since there are numerous different designations in the National Park System, one of the goals of this study would be to determine the best fit for this historic site.

Mr. Speaker, as we have also heard, the Waco Mammoth Site is the largest concentration in the world of prehistoric mammoths dying from the same event. That is what makes this particular site unique and so historically significant. It is located within the city limits of Waco, Texas, my hometown, which also happens to be a suburb of the community of Crawford, Texas, a well-known central Texas community today. It is located at the confluence of the Brazos and Bosque Rivers.

The site was first discovered in 1978; and since 1984, Calvin Smith, director of the Strecker Museum at Baylor University, has been leading the effort to discovering the bones of now, I think there are even up to 24 mammoths so far. We would not be here today had it not been for the vision and dedication of Calvin Smith, and I want to thank him for his role in this legislation.

What makes this site unique, as I mentioned, is the fact that so many, in fact this could be twice the size of any previous mammoth deaths at any one site for any one given cause. What I find absolutely fascinating about it is that in the mud, again considering this was 28,000 years ago, we now have the remains of a 55-year-old bull and a 45-year-old female mammoth as they tried to lift their young calves above the flood that consumed them all. It is my understanding that this is the first known recording in history of parental instincts being shown in a prehistoric setting such as this.

This discovery has received worldwide attention. Experts such as Dr. Gary Haynes at the University of Nevada at Reno have said this site is a valuable and unique treasure that should not be lost. Dr. Haynes states the mammoth site, and I quote, “is a