

sought to restore the reservation to its historic boundaries. Over 6,000 Pueblo members live on or around the Acoma Mesa, which was originally referred to as the Sky City. The older village lies 365 feet above the surrounding valley of sparse dry farmland, with a mixture of pinon and juniper trees.

It is thought to be one of the oldest continually inhabited sites in the United States, first reported by Fray Marcos de Niza in 1539, and then visited by Francisco de Coronado's army in 1540.

In 1998, the Pueblo purchased a large ranch that adjoined the reservation, and subsequently the Secretary of the Interior took over 100,000 surface acres into trust for the Pueblo, and it became a permanent part of the reservation.

When Acoma purchased the ranch, the subsurface mineral rights were not part of the land transfer. As we know, this is not an uncommon practice, where only the surface estate is sold from owner to owner. Much of this practice goes back to the settling of the West, when the government awarded the checkerboard pieces of land to railroads in return for their building lines across the Nation. The railroads sold the land to finance their companies' activities, but kept the subsurface mineral estate.

Under this legislation, the current owner of the subsurface estate would enter into an exchange agreement with the Bureau of Land Management, BLM, for the equivalent valued Federal lands and rights. In return, the BLM would receive the subsurface rights within the Pueblo boundaries, which would be placed into trust by the Secretary of the Interior for the benefit of the Acoma Pueblo, unifying both the surface and subsurface estate.

This legislation amounts to a win-win for all the stakeholders involved.

First, the Acoma Pueblo does not have to worry about the holder of the subsurface mineral rights attempting to exercise its rights. This legislation gives them the total control over their lands that they need and deserve under the responsibility of the United States.

The current third-party owner of the subsurface mineral estate is made whole without having to exercise their rights and being placed in a conflict with the Acoma Pueblo.

Finally, the public wins because excess Federal lands will go into the private sector and will be returned to the tax rolls.

The Acoma people are part of a proud Pueblo which provides New Mexico with a major portion of the rich cultural heritage which makes my State the land of enchantment.

In closing, I ask the House of Representatives to do the right thing and to pass this legislation so that the Acoma people can continue their journey to greatness.

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

Mr. Speaker, the subject matter of this legislation has already been ex-

plained. It is noncontroversial. I fully support it.

I do want to take this opportunity to commend the bill's sponsor, the gentleman from New Mexico (Mr. SKEEN), who serves as chairman of the Subcommittee on the Interior of the Committee on Appropriations.

I commend him not only for sponsoring this bill pending before us today, but for his outstanding leadership on the Interior appropriations bill this year.

All too often in the past, that particular appropriation bill has been the subject and the target for controversial riders that are unfriendly to the environment. This has often bogged down consideration of this appropriations measure, which funds so many programs of importance to Americans and American resources.

To his credit, the gentleman from New Mexico produced a relatively clean bill this year, then adequately funded the programs under his jurisdiction, within, of course, the constraints of the budget.

So I want to thank the gentleman from New Mexico (Mr. SKEEN) for his excellent leadership. He has done a great service to this body, and indeed, to the American people. I look forward to continuing to work with him in the future in his position as chairman of the appropriations subcommittee.

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

Mr. RAHALL. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Speaker, I thank the gentleman for being so kind.

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

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

Mr. Speaker, I thank the gentleman from West Virginia (Mr. RAHALL) for his support of this legislation and in praise of my good friend and my neighbor, the gentleman from New Mexico.

Mindful of the importance of this bill to a sovereign tribe within the great State of New Mexico, I would urge the House to pass this legislation.

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 Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 1913, 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.

DETROIT RIVER INTERNATIONAL WILDLIFE REFUGE ESTABLISHMENT ACT

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1230) to provide for the estab-

lishment of the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1230

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 "Detroit River International Wildlife Refuge Establishment Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Detroit River, one of North America's greatest rivers, was created some 14,000 years ago during the retreat of the Wisconsin Glacier.

(2) The present river channel, established when falling water levels permitted erosion of the Lake Plain and moraines, is a connecting channel linking the Upper and Lower Great Lakes, as well as linking the United States to Canada.

(3) The Lower Detroit River ecosystem is diverse with a number of distinct channels, numerous shoals that support dense stands of aquatic plants, and many islands. These nationally and internationally significant habitats and ecological features attract as many as 29 species of waterfowl and 65 kinds of fish.

(4) The Detroit River is a major migration corridor for fish, butterflies, raptors, and other birds, in addition to waterfowl. Over 300 species of birds have been documented in the Detroit-Windsor area, of which about 150 species breed in the immediate area.

(5) Because the Great Lakes are situated at the intersection of the Atlantic and Mississippi Flyways, the Detroit River is an important waterfowl migration corridor. 3,000,000 ducks, geese, swans, and coots migrate annually through the Great Lakes region.

(6) The importance of this corridor is recognized in the Canada-United States North American Waterfowl Management Plan that has identified the Detroit River as part of one of 34 Waterfowl Habitat Areas of Major Concern in the United States and Canada.

(7) Some 300,000 diving ducks stop in the Lower Detroit River on their fall migration from Canada to the east and south each year to rest and feed in beds of water celery found in the region.

(8) The international importance of the Lower Detroit River area is manifested in the United States congressional designation of the 460-acre Wyandotte National Wildlife Refuge.

(9) Canada's Canard River Marsh Complex is an internationally significant waterfowl staging area which is one of the main resting and feeding areas for canvasbacks migrating from their nesting grounds in the Canadian prairies to the East Coast. Many over-winter in the area as well.

(10) The diversity of biota and habitats in the Lower Detroit River ecosystem provides substantial benefits to the over 5,000,000 people who live in the vicinity. The Lower Detroit River has an international reputation for duck hunting. On an economic basis, retail sales related to waterfowl hunting in Michigan were estimated in 1991 to be \$20,100,000. During the same year birding, photography, and other nonconsumptive uses of waterfowl contributed an additional \$192,800,000 in Michigan.

(11) More than 1,000,000 pleasure boats are registered in Michigan and about half of those are used on the Detroit River and Lake St. Clair, in part to fish for the estimated 10,000,000 walleye that migrate to the Detroit

River each spring from Lake Erie to spawn. These walleye have helped create an internationally renowned sport fishery estimated to bring in \$1,000,000 to the economy of communities along the lower Detroit River each spring.

(12) All of these natural resource values and socioeconomic benefits were acclaimed when the Detroit River was designated an American Heritage River in 1998. The Detroit River is also a Canadian Heritage River, making it the first international heritage river system in the world.

(13) The Detroit River has lost over 95 percent of its coastal wetland habitats and despite increased awareness and supporting science of their importance, habitats continue to be destroyed and degraded.

(14) Protection of remaining wildlife habitats and enhancement of degraded wildlife habitats are essential to sustain the quality of life enjoyed by so many living along the Detroit River corridor.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) The term "Refuge" means the Detroit River International Wildlife Refuge established by section 5.

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

(3) The term "Detroit River" means those lands and waters within the area described in section 5(a).

SEC. 4. PURPOSES.

The purposes for which the Refuge is established and shall be managed are as follows:

(1) To protect the remaining high-quality fish and wildlife habitats of the Detroit River before they are lost to further development and to restore and enhance degraded wildlife habitats associated with the Detroit River.

(2) To assist in international efforts to conserve, enhance, and restore the native aquatic and terrestrial community characteristics of the Detroit River (including associated fish, wildlife, and plant species) both in the United States and Canada.

(3) To facilitate partnerships among the United States Fish and Wildlife Service, Canadian national and provincial authorities, State and local governments, local communities in the United States and in Canada, conservation organizations, and other non-Federal entities to promote public awareness of the resources of the Detroit River.

SEC. 5. ESTABLISHMENT OF REFUGE.

(a) BOUNDARIES.—There is hereby established the Detroit River International Wildlife Refuge, consisting of the lands and waters owned or managed by the Secretary pursuant to this Act in the State of Michigan within the area extending from the point in Michigan directly across the river from northernmost point of Ojibway Shores to the southern boundary of the Sterling State Park, as depicted upon a map entitled "Detroit River International Wildlife Refuge Proposed", dated July 31, 2001, which shall be available for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) EXISTING REFUGE LANDS.—The Wyandotte National Wildlife Refuge is hereby included within, and shall be a part of, the Detroit River International Wildlife Refuge. All references to the Wyandotte National Wildlife Refuge shall hereafter be treated as references to the Detroit River International Wildlife Refuge.

(c) BOUNDARY REVISIONS.—The Secretary may make such revisions of the boundaries of the Refuge as may be appropriate to carry out the purposes of the Refuge or to facilitate the acquisition of property within the Refuge.

(d) ACQUISITION.—The Secretary is authorized to acquire by donation, purchase with

donated or appropriated funds, or exchange the lands and waters, or interests therein (including conservation easements), within the boundaries of the Refuge.

(e) TRANSFERS FROM OTHER AGENCIES.—Any Federal property located within the boundaries of the Refuge which is under the administrative jurisdiction of another department or agency of the United States may, with the concurrence of the head of administering department or agency, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this Act.

(f) STUDY OF ASSOCIATED AREA.—The Secretary (acting through the Director of the United States Fish and Wildlife Service) shall conduct a study of fish and wildlife habitat and aquatic and terrestrial communities of the north reach of the Detroit River, from the northernmost point of Ojibway Shores north to the mouth of Lake St. Clair, for potential inclusion in the Refuge. Not later than 18 months after date of enactment of the Act, the Secretary shall complete such study and submit a report containing the results thereof to the Congress.

SEC. 6. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer all federally owned lands, waters, and interests therein that are within the boundaries of the Refuge in accordance with the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd and following) and this Act. The Secretary may use such additional statutory authority as may be available for the conservation of fish and wildlife, and the provision of fish and wildlife dependent recreational opportunities as the Secretary considers appropriate to carry out the purposes of this Act.

(b) PRIORITY USES.—In providing opportunities for compatible fish and wildlife dependent recreation, the Secretary, in accordance with paragraphs (3) and (4) of section 4(a) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)), shall ensure that hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the priority public uses of the Refuge.

(c) COOPERATIVE AGREEMENTS REGARDING NONFEDERAL LANDS.—The Secretary is authorized to enter into cooperative agreements with the State of Michigan, or any political subdivision thereof, and with any other person or entity for the management in a manner consistent with this Act of lands that are owned by such State, subdivision, or other person or entity and located within the boundaries of the Refuge and to promote public awareness of the resources of the Detroit River International Wildlife Refuge and encourage public participation in the conservation of those resources.

(d) USE OF EXISTING GREENWAY AUTHORITY.—The Secretary shall encourage the State of Michigan to use existing authorities under the Transportation Equity Act for the 21st Century (TEA-21) to provide funding for acquisition and development of trails within the boundaries of the Refuge.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of the Interior—

(1) such sums as may be necessary for the acquisition of lands and waters within the Refuge;

(2) such sums as may be necessary for the development, operation, and maintenance of the Refuge; and

(3) such sums as may be necessary to carry out the study under section 5(f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from West Virginia (Mr. RA-HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

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

Mr. Speaker, I am pleased to present H.R. 1230, an important bill introduced by the distinguished dean of the House, the honorable gentleman from Michigan (Mr. DINGELL).

The measure has 28 bipartisan cosponsors. Also, the chairman of the full committee, the gentleman from Utah (Mr. HANSEN), lends his support enthusiastically to this piece of legislation.

The goal of this innovative measure is to establish an international wildlife refuge along the lower 18 miles of the Detroit River that flows between the United States and Canada. The river provides a central habitat for 29 species of waterfowl and 65 different kinds of fish. It has been designated as a heritage river in both countries, and it is an important waterfowl corridor for over 3 million ducks, geese, and swans who annually migrate through this region.

Sadly, up to 95 percent of the original wetlands of the Detroit River have been lost to development. H.R. 1230 offers a rare opportunity to protect the remaining high-quality fish and wildlife habitats, to restore degraded wetland areas, and to encourage international efforts to promote awareness of the ecosystem resources of the Detroit River.

Under the terms of the original bill, if a corporation donated property to the Secretary of the Interior for inclusion in the refuge, then they were protected from future financial responsibility for any environmental cleanup and its cost. As Members might expect, the Justice Department and the Office of Management and Budget raised some concerns about future potential liability for the Federal Government.

In an effort to accommodate those concerns, the author of the bill has agreed to modify this proposal by deleting the indemnification provisions in section 7. With this change, any remaining questions about the impact of this legislation have been alleviated. We on this side of the aisle greatly appreciate the gentleman from Michigan (Mr. DINGELL) for that effort.

H.R. 1230 has been endorsed by the Governor of Michigan, a member of the Canadian Parliament, numerous State and local officials, and dozens of conservation groups, including Ducks, Unlimited, the National Audubon Society, the National Rifle Association, the Nature Conservancy, and the Trust for Public Lands.

In his endorsement letter, Governor John Engler noted that the creation of a new Federal wildlife refuge will certainly enhance the conservation of the Detroit River and its unique natural, historical, and cultural resources.

During our hearings, a witness for Ducks, Unlimited, testified that the new refuge would provide a unique opportunity for international cooperation between the United States and Canada

among governmental and nongovernmental partners to protect and restore the international treasure.

Mr. Speaker, I want to compliment the gentleman from Michigan (Mr. DINGELL) for his outstanding and tireless leadership in proposing the creation of this new, exciting international wildlife refuge. The gentleman from Michigan has been a conservation giant in this country, and this bill is a testament to his ongoing commitment to that effort.

I am pleased to support this measure, and I urge my colleagues to vote aye on this bill.

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

Mr. RAHALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. DINGELL), the sponsor of this legislation and the distinguished dean of the House of Representatives, and a very dear friend of mine.

Mr. DINGELL. Mr. Speaker, I thank my dear friend, the gentleman from West Virginia (Mr. RAHALL). I want to thank him and commend him and the gentleman from Utah (Mr. HANSEN), as well as the gentleman from Maryland (Mr. GILCHREST), who has just spoken so eloquently on this matter, and of course the gentleman from Guam (Mr. UNDERWOOD) and my friend, the gentleman from Michigan (Mr. KILDEE), for their support.

Mr. Speaker, this is a good piece of legislation. It has bipartisan support. It is supported by every State, local, and governmental agency within the area that would be served by this refuge. It is also supported by all of the private conservation organizations in the area, including the list that was read by my dear friend, the gentleman from Maryland (Mr. GILCHREST), whose leadership I want to expressly commend and congratulate, and I want to thank him again for his leadership.

Mr. Speaker, this is a piece of legislation which is going to do a great deal of good, and in some surprising ways. There will be very little additional cost to the Federal Government. It will rely largely upon donations and largely upon management agreements, easements, and cooperative undertakings between State, Federal, and local organizations in the area.

It will make it possible for us to have a lot of land, which will be of enormous value to fish and wildlife, set aside without impairing the ownership or the industrial or commercial activities in the area.

It is a proposal which will afford enormous opportunity for us to increase the conservation values of the area, and to do much to preserve the fish and wildlife values of the Detroit River.

It will have the full cooperation of our Canadian friends because the Detroit River is a national heritage river here in the United States and also in Canada, and cooperation is being given at this time by the two distinguished

members of Parliament on the Canadian side of the river, the Honorable Herb Gray, the deputy prime minister, and also the Honorable Susan Whelan, who is working closely with me on these matters.

This is a good piece of legislation which will afford great opportunity for us to make a significant contribution to preservation of the 5 million ducks and geese that fly up and down this river every spring and fall, and to achieve significant additional advances with the support of the people and a cooperative program in the administration of that area.

I give thanks to my dear friend, the gentleman from West Virginia (Mr. RAHALL).

□ 1930

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a member of our Committee on Resources.

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

Mr. Speaker, Michigan is blessed with many wonderful rivers. The Detroit River is rich in prehistoric, historic and ecological wonders. This wildlife refuge near a large metropolitan area will truly be a blessing for our State and our Nation. This is an opportunity where you can go from a city and see this beauty, this historical wonder and this prehistorical wonder.

The Canadian government is also embarking on a similar endeavor on their side of this international river, and the gentleman from Michigan (Mr. DINGELL) has worked very closely with them on that. I want to commend the gentleman from Michigan (Mr. DINGELL) for his very patient and persistent work on this bill. The bill passed out of the Committee on Resources unanimously. It is a bill that we can all be proud of.

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

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

Mr. Speaker, during his career in this body, the gentleman from Michigan (Mr. DINGELL) has sponsored innumerable measures that have benefitted our entire Nation and he truly has fought hard for many of those. However, I believe the bill before us today that he is sponsoring is truly the stuff of legacy. It is landmark legislation that will stand as lasting testimony to the gentleman's foresight when it comes to enhancing the wildlife resources of our country.

I say this is landmark legislation because it provides for the first time an international wildlife refuge designation. This designation, as the gentleman has explained, would occur along an 18-mile length of the Detroit River between the cities of Detroit, Michigan, and Windsor, Canada.

In this regard, the portion on the U.S. side of this river has already been designated as an American Heritage River. In addition, the new inter-

national refuge proposed by this bill incorporates into its boundaries the existing Wyandotte National Wildlife Refuge.

Obviously, fish and wildlife do not recognize political boundaries. This legislation recognizes that fact, and it does so in a fashion that vastly enhances the ecosystem of the Detroit River in both the United States and Canada for the benefit of not only the current but future generations of citizens of these respective countries.

Again, I commend the gentleman from Michigan (Mr. DINGELL) for his foresight in proposing this legislation.

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

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

Mr. Speaker, once again, I would like to compliment the gentleman from Michigan (Mr. DINGELL) on his work in developing this refuge, in one sense in an international way and in another sense setting a precedent that can be replicated countless numbers of times across the Nation where you can bring in an urban landscape and provide habitat for numerous waterfowl, birds, migrating neo-tropical birds and an abundance of marine life.

Mr. Speaker, I live off the Chesapeake Bay, and along the shores of the Chesapeake Bay there are numerous little tidal basins and estuaries. One of the waterfowl that rests there comes from Alaska, the tundra swan, with a beautiful whistling sound. But between Alaska and the Chesapeake Bay, where they spend their winter months, they need a number of places to stop to provide rest and food for themselves and their young. And now we can be assured that one of those places that those tundra swans will stop and rest along their thousands of miles of journey to the tidal basins of the Chesapeake Bay will be this refuge. So we in Maryland thank the gentleman from Michigan (Mr. DINGELL) and the gentleman from Michigan (Mr. KILDEE) and the staff for putting this together.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 1230, 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.

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the three bills just considered, H. Con. Res. 270, H.R. 1913, and H.R. 1230.