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TITLE: ARIZONA WILDLIFE REFUGE WILDERNESS ACT OF 1990

SPEAKER: MR. DAVIS; MR. KYL; Mr. RHODES; Mr. UDALL; Mr. VENTO

TEXT:

Text that appears in UPPER CASE identifies statements or insertions which are not spoken by a Member of the House on the floor.

[*H1409] Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2571) to provide for the designation of certain National Wildlife Refuge lands as wilderness in the State of Arizona, as amended.

[*H1410] The Clerk read as follows:

H.R. 2571

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 "Arizona Wildlife Refuge Wilderness Act of 1990".

SEC. 2. WILDERNESS DESIGNATION AND MANAGEMENT.

(a) Designation. -- In furtherance of of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) Certain lands in the Havasu National Wildlife Refuge, Arizona, which comprise approximately 14,606 acres, as generally depicted on a map entitled "Havasu Wilderness" and dated March 13, 1990, and which shall be known as the Havasu Wilderness.

(2) Certain lands in the Imperial National Wildlife Refuge, Arizona, which comprise approximately 9,220 acres, as generally depicted on a map entitled "Imperial Refuge

Wilderness" and dated March 13, 1990, and which shall be known as the Imperial Refuge Wilderness.

(3) Certain lands in the Kofa National Wildlife Refuge, Arizona, which comprise approximately 511,000 acres, and certain other public lands comprising approximately 5,300 acres which are hereby added to and incorporated within such refuge (and which shall be managed accordingly), all as generally depicted on a map entitled "Kofa Wilderness" and dated March 13, 1990, and which shall be known as the Kofa Wilderness.

(4) Certain lands in the Cabeza Prieta National Wildlife Refuge, Arizona, which comprise approximately 803,418 acres, as generally depicted on a map entitled "Cabeza Prieta Wilderness" and dated March 13, 1990, and which shall be known as the Cabeza Prieta Wilderness.

(b) Management. -- Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act govern areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) Map and Legal Description. -- As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries of the United States House of Representatives and with the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, United States Fish and Wildlife Service, United States Department of the Interior.

(d) Water. -- (1) With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved rights shall be in the date of enactment of this Act.

(2) The Secretary of the Interior and all other officers of the United States shall take all steps necessary to protect the rights reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate steam adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment, 43 U.S.C. 666.

(3) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Arizona on or before the date of enactment of this Act.

(4) The federal water rights reserved by this Act are specific to the wilderness areas located in the State of Arizona designated by this Act. Nothing in this Act related to reserved federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto."

(3) Military Activities. -- Nothing in this Act, including the designation as wilderness of lands within the Cabeza Prieta National Wildlife Refuge, shall be construed as –

(1) precluding or otherwise affecting continued low-level overflights by military aircraft over such refuge or the maintenance of existing associated ground instrumentation, in accordance with any applicable interagency agreements in effect on the date of enactment of this Act; or

(2) precluding the Secretary of Defense from entering into new or renewed agreements with the Secretary of the Interior concerning use by military aircraft of airspace over such refuge or the maintenance of existing associated ground instrument, consistent with management of the refuge for the purpose for which such refuge was established and in accordance with laws applicable to the National Wildlife Refuge System.

The SPEAKER pro tempore. Is a second demanded?

Mr. RHODES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. Vento] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. Rhodes] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. Vento].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to raise and extend their remarks on H.R. 2571, the bill presently under consideration.

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

There was no objection.

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona [Mr. Udall], the chairman of the Committee on Interior and Insular Affairs.

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

Mr. UDALL. Mr. Speaker, a month ago, the House of Representatives overwhelmingly passed H.R. 2570, the Arizona Desert Wilderness Act. That bill set aside about 1.1 million acres of Bureau of Land Management territory as wilderness. Today, the House considers the other half of the Arizona wilderness package, H.R. 2571, which addresses four wildlife refuges in my State.

This measure matches the administration position and has been reported without opposition from both the Interior and Merchant Marine and Fisheries Committees. It would designate about 1.4 million acres of wilderness on the Havasu, Imperial, Kofa, and Cabeza Prieta refuges in southern and western Arizona.

Wilderness designation will not bring any great changes to the current administration of these refuges. They were studied and positively recommended for wilderness in the administrations of Presidents Nixon and Ford and have been managed as wilderness since that time. Today, we are proposing to formalize the regime that has governed the refuges for at least 15 years.

Some in Arizona have charged that wilderness designation will change the very purposes for which these refuges were established and managed. But there is absolutely no basis for this. The refuges were created for certain wildlife conservation purposes and so they will remain. Wilderness is simply an overlay, prescribing certain terms and conditions for how the land managers and the public are to achieve the refuges' existing purposes.

Kofa, for example, was established largely for the protection and propagation of desert bighorn sheep. In the 15 years of de facto, administrative wilderness management of Kofa, the population of bighorns has continued to grow and now provides stock for sheep transplants to other refuges and habitats throughout the West. The administration has testified that the activities common in the refuges today -- for example, donations of time and labor to construct water catchments by organizations such as the Arizona Desert Bighorn Sheep Society -- will continue.

In addition, the committee has maintained public access within this 663,000-acre refuge by working with interested groups and individuals in Arizona to design a mutually agreeable road network in Kofa. Kofa has always been interlaced with dirt roads and ways. In 1974, the administration proposed that 275 miles of these roads be left open and 82 miles closed. Last year, the administration amended its proposal to leave 329 miles of roads open and 28 miles closed. At a meeting on January 6, 1990 in Yuma, representatives of sportsmen, conservationists, recreation and wildlife management organizations hammered out an agreement on a network of 326 miles [*H1411] of open

roads and 31 miles of closed roads. This agreement is reflected in its entirety in the committee bill.

The 860,000-acre Cabeza Prieta refuge is one of the largest and most magnificent stretches of protected desert lands in America and perhaps the world. The bill, as amended by the Merchant Marine Committee, designates all but about 57,000 acres as wilderness and leaves open the Camino del Diablo and Tule Wells roads for public access.

Because Cabeza Prieta is a part of the larger Barry M. Goldwater Air Force Range, the committee had to consider the continuation of military training flights over the refuge. The current, acceptable arrangement between the Departments of Defense and Interior is preserved by the bill. The core principle underlying this arrangement is that military overflights, even low-level missions, are allowed to continue, subject to reasonable terms and conditions necessary to protect refuge and wilderness resources.

Upon introduction of this bill, I stated that we would have to consider the possible addition of the Tinajas Altas range to Cabeza Prieta, as was recommended by the President in 1974. There is no question that Tinajas Altas would be an admirable addition to the refuge. Nor is there any question, at least in my mind, that administration of the area to date has been unsatisfactory. However, Congress handed land management authority for the entire Goldwater range to BLM just 4 years ago and the agency has stated its commitment to guarding the delicate and worthy resources of Tinajas Altas and the rest of the range while providing for necessary military activities. I think they deserve the chance to succeed or fail at this task before Congress considers the possibility of adding the area to the refuge.

Mr. Speaker, this legislation is a hallmark in the protection not only of Arizona's natural heritage but also of the beauty and wildlife that is conserved for all Americans. I want to thank my colleagues in the Arizona congressional delegation and on the Merchant Marine and Fisheries Committee for their timely assistance in bringing this bill before the House today.

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

Mr. Speaker, first of all, let me congratulate the chairman of the full committee, the gentleman from Arizona [Mr. Udall], for having this particular piece of legislation before the House today.

The House will probably recall that less than a month ago we dealt with another Arizona wilderness bill, and I wish to assure the House that for the foreseeable future I hope this is the extent of Arizona wilderness legislation for the 101st Congress.

This bill deals with about 1.3 million acres which are contained in four wildlife refuges located in the State of Arizona. All four of these areas have been designated for

wilderness or recommended for wilderness designation since 1974. All have been managed to protect their wilderness value since that time.

As a result of very lengthy and very serious negotiations among the Arizona congressional delegation and their staffs and the parties interested in wilderness designations in our State, we have come to agreement on this legislation.

I should point out two or three specific points. First of all, in the Kofa National Wildlife Refuge, after, again, lengthy negotiations and discussions with users of the refuge, we have managed to come up with a system of public access, a network of roads and trails within that refuge consisting of some 326 miles that will be open to the public, 51 miles, incidentally, more than was originally recommended in the 1974 recommendations.

Second, I need to deal with the issue of water rights. The water rights language in this bill is precisely the same as the language that was contained in the Arizona desert wilderness bill, the BLM wilderness act, adopted by the House approximately 1 month ago.

The intent of that language is to direct the Secretary to protect the wilderness water rights including the filing by the Secretary of a claim for such rights in the courts of the State of Arizona.

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In that forum, along with all other water claims filed in Arizona -- a general stream adjudication -- the Federal wilderness water right granted in this legislation is to be adjudicated, with a priority date of the date of enactment of this bill.

The language further states these wilderness water rights are not necessarily in addition to any existing water rights the Federal Government may have acquired. The extent of the federal wilderness water right should be determined in the State adjudication and quantification process, along with the claims of all other water right holders.

This language is our solution for Arizona, for these wilderness designations. The bill language states this reserved water rights solution is not intended to be the solution for wilderness reserved water right issues in other states. We fully realize other states, with different water right adjudication processes, may find different solutions to meet their particular needs. These issues should be decided on a State-by-State basis. Generic water rights languages will not work for every State in which water rights are such a crucial issue.

Finally, the Cabeza Prieta National Wildlife Refuge has been used for many years as an overflight area for military training purposes. It is basically a part of the Goldwater Air Force Range, and was originally withdrawn by statute in 1962.

The language in the bill allows continued low-level training overflights by military aircraft and maintenance of associated ground equipment, in accordance with existing,

new or revised memorandum-of-understanding between the Department of Defense and the Department of the Interior.

This is a bill that has been worked on for a long time by the Arizona delegation with the leadership of the gentleman from Arizona [Mr. Udall]. It has had extensive hearings and negotiations with interested parties in the State, as well as with out-of-State environmental interests. It has our nearly unanimous support in the Arizona delegation, and I urge my colleagues to support the adoption of H.R. 2571.

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

Mr. Speaker, I rise in strong support of H.R. 2571 as reported by the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries. Let me thank the members of the Merchant Marine Committee, specifically Chairman Jones and subcommittee Chairman Studds for their cooperation on this matter.

Mr. Speaker, this is a bill introduced and championed by our friend and colleague from Arizona, the distinguished chairman of our committee, Chairman Udall. It is the second part of the overall wilderness legislation for Arizona that the Committee on Interior and Insular Affairs, under his leadership, is bringing before the House this year. This has been over a 15-year struggle to achieve this wilderness designation for these wildlife refuges. The other bill, H.R. 2570, addresses the designation of wilderness on Arizona lands managed by the Bureau of Land Management, and that bill passed the House on February 28 by a vote of 356 to 45.

This bill deals with the designation of wilderness in Arizona on lands managed by the Fish and Wildlife Service as units of the National Wildlife Refuge System. In all, some 1.3 million acres of these lands would be designated as wilderness, including about 5,300 acres which the bill would transfer from BLM management for inclusion in the Kofa Refuge unit.

This wilderness designation is an important step, Mr. Speaker, but it is not a new idea. In fact, what this bill does is generally to adopt Presidential recommendations dating back to 1973 and 1974. Those recommendations were transmitted to the Congress after the review process that the Wilderness Act required for all roadless areas of 5,000 acres or more, and every roadless island, within the National Wildlife Refuge System and other Federal lands. The purposes of this review was to determine the suitability of these areas for inclusion in the National [*H1412] Wilderness Preservation System, and to provide a basis for recommendations to Congress for designation of wilderness areas.

Of course, the management of an area recommended for wilderness has to take that recommendation into account, so that the wilderness values of a recommended area will be protected until Congress makes a decision with respect to the recommendation.

As a result, Mr. Speaker, a bill such as this one, which essentially adopts Presidential recommendations with respect to wilderness designations, will result in little if any change in the way in which the areas have been managed since the recommendation.

By the way, I ought to note for the information of the House that these recommendations from 1973 and 1974 are not the oldest Presidential wilderness recommendations still pending here in the Congress. Just with respect to the National Wildlife Refuge System, there are at least two recommendations that date back to 1969.

The four refuges within which this bill would designate wilderness areas are Havasu National Wildlife Refuge, Imperial National Wildlife Refuge, Kofa National Wildlife Refuge, and the Cabeza Prieta National Wildlife Refuge. Each of these has very special and unique resources and values, which are discussed at some length in the Interior Committee's report, and each will be a notable and valuable addition to the National Wilderness Preservation System.

The Havasu and Imperial Refuges are located along the Colorado River and include very rugged mountainous areas, where the wilderness areas would be. The Kofa and Cabeza Prieta Refuges are outstanding desert areas that contain a wide diversity of terrain features and wildlife habitat as well as recreational opportunities. Together, the wilderness designations made by this bill will make a very significant contribution to the wilderness system.

Mr. Speaker, when H.R. 2570, the Arizona BLM wilderness bill, was on the floor of the House last month, much of the debate centered on the way that bill addressed the question of water rights associated with the wilderness areas designated by the bill. Members will recall that the House adopted an amendment dealing with that matter that was offered by the gentleman from Arizona [Mr. Rhodes], and which Chairman Udall and I joined in sponsoring. After that action by the House, the Interior Committee adopted a resolution to revise H.R. 2571 so that its water-rights provisions would be the same as those of H.R. 2570 as passed by the House.

Thus, Mr. Speaker, section 2(d) of the bill now before the House is identical to subsection 2(g) of H.R. 2570, the Arizona Desert Wilderness Act of 1990 as passed by the House of Representatives on February 28, 1990, and has the same intent and effect.

It would explicitly reserve, with respect to each of the wilderness areas designated by the bill, a quantity of water sufficient to fulfill the purposes for which those areas are designated, with the priority date of these reserved Federal rights being the date of enactment of the bill.

Paragraph (2) of the subsection would require the Secretary of the Interior and all other officers of the United States to take all necessary steps to protect these reserved rights, including the filing by the Secretary of a claim for such quantification in any appropriate general stream adjudication in Arizona courts to which the United States is made a party

under the McCarran amendment and which is conducted in accordance with that provision of existing law.

As I noted when we debated this same language in the context of H.R. 2570, none of this language would have the effect of changing existing law with respect to this matter of the quantification of Federal reserved water rights.

Specifically, the McCarran amendment permits the United States to be joined as a defendant in a general stream adjudication, and under these circumstances, the Federal water right may be quantified as part of the adjudication. However, under existing Federal law the Federal courts share concurrent jurisdiction over Federal water rights, and that concurrent jurisdiction of the Federal courts would not be changed by either this bill or H.R. 2570. Federal officials will thus retain all the options they now have, including going into Federal courts if, for example, the officials conclude that an appropriate State adjudication is not available or that the State process doesn't adequately protect the Federal interest.

Of course, as a practical matter, Mr. Speaker, under existing law and practice water rights such as those reserved by the bill are generally quantified through appropriate proceedings in State courts, even though there is also concurrent jurisdiction in Federal courts, and so quantification of the Federal water rights reserved by this bill and H.R. 2570 will most likely occur in the courts of Arizona through general stream adjudications, except where special circumstances such as the special status of the Colorado River would produce a different result.

Mr. Speaker, as I said before, existing law and practice in this area are working well. They aren't "broken" and don't need "fixing," and both H.R. 2570 and this bill would leave them intact.

Finally, Mr. Speaker, the bill addresses the relationship between the Defense Department and the Fish and Wildlife Service with respect to the Cabeza Prieta Refuge. That refuge is overlain by the Barry Goldwater Air Force Range, which has been withdrawn for military use until the year 2001 by the Military Lands Withdrawal Act of 1986. Overflights and related activities there are governed by an interagency agreement, and after a careful review the Interior Committee concluded that that agreement strikes an acceptable balance between the need of the military for these activities and the need to protect the refuge and its resources and values, including wilderness values. The bill includes language -- in section 2(e) -- to make it clear that low-level overflights consistent with the restrictions in the existing interagency agreement -- or renewals of the agreement -- can continue, as can the maintenance of existing ground facilities associated with those flights.

In summary, Mr. Speaker, this is a good and important bill that will give congressional approval for wilderness designations recommended some time ago. It will protect important wilderness and other values, while providing for continued sound management of these areas as part of the National Wildlife Refuge System. The Arizona delegation,

and especially Chairman Udall, can take pride both in this bill and in H.R. 2570, already approved by the House. Together these bills will leave a lasting legacy for the people of Arizona and the Nation. I urge passage of the bill.

MR. DAVIS. MR. SPEAKER, I RISE IN SUPPORT OF H.R. 2571, THE ARIZONA WILDLIFE REFUGE WILDERNESS ACT OF 1990, WHICH PROVIDES WILDERNESS DESIGNATION FOR FOUR WILDLIFE REFUGES IN ARIZONA, PURSUANT TO THE WILDERNESS ACT OF 1964, IN ORDER TO PROTECT IMPORTANT SEGMENTS OF THE FRAGILE AND UNIQUE DESERT ECOSYSTEMS OF THE SOUTHWEST.

THE WILDERNESS DESIGNATIONS IN H.R. 2571 ARE BASED ON RECOMMENDATIONS MADE BY PRESIDENTS NIXON AND FORD DURING THE MID-1970'S PURSUANT TO THE WILDERNESS STUDY REVIEWS MANDATED BY THE WILDERNESS ACT. THE BILL WAS MODIFIED BY THE INTERIOR COMMITTEE AND THE MERCHANT MARINE AND FISHERIES COMMITTEE TO INCORPORATE VARIOUS ACREAGE ADJUSTMENTS REQUESTED BY THE ADMINISTRATION.

MR. SPEAKER, AN AREA WITHIN A NATIONAL WILDLIFE REFUGE WHICH IS DESIGNATED AS WILDERNESS REMAINS PART OF THE NATIONAL WILDLIFE REFUGE SYSTEM, AND IS SUBJECT TO THE JURISDICTION OF THE FISH AND WILDLIFE SERVICE. A WILDERNESS DESIGNATION DOES PLACE CERTAIN RESTRICTIONS ON THE KINDS OF MANAGEMENT ACTIVITIES AND PUBLIC USES WHICH MAY TAKE PLACE WITHIN A WILDERNESS AREA. FOR EXAMPLE, IT GENERALLY PROHIBITS COMMERCIAL ACTIVITIES, MOTORIZED ACCESS AND THE CONSTRUCTION OF NEW ROADS, STRUCTURES, AND FACILITIES IN WILDERNESS AREAS. HOWEVER, IT DOES PROVIDE LIMITED EXEMPTIONS FOR LIVESTOCK GRAZING, PREEXISTING MOTORBOAT AND AIRCRAFT USE, AND SOME COMMERCIAL RECREATION SUCH AS GUIDING OR RAFTING TRIPS.

PUBLIC ACTIVITIES SUCH AS HIKING, CAMPING, OR HUNTING WOULD NOT BE PROHIBITED BY A WILDERNESS DESIGNATION. MOREOVER, THE FISH AND WILDLIFE SERVICE TESTIFIED AT A HEARING BEFORE THE MERCHANT MARINE AND FISHERIES COMMITTEE THAT IT IS NOT CONCERNED THAT WILDERNESS DESIGNATIONS CONTAINED IN H.R. 2571 WOULD ADVERSELY AFFECT THEIR WILDLIFE CONSERVATION PROGRAMS OR UNDULY RESTRICT THEIR WILDLIFE MANAGEMENT OPTIONS. IN FACT, THE FISH AND WILDLIFE [*H1413] SERVICE HAS MANAGED MOST OF THE ACRES DESIGNED AS WILDERNESS UNDER H.R. 2571 AS DE FACTO WILDERNESS SINCE THE WILDERNESS REVIEW STUDY WHICH IDENTIFIED THESE AREAS WAS COMPLETED 17 YEARS AGO. UNDER EXISTING WILDERNESS MANAGEMENT POLICY, A WIDE RANGE OF WILDLIFE MANAGEMENT ACTIVITIES ARE, AND WILL CONTINUE TO BE, ALLOWED IN THE FOUR ARIZONA WILDLIFE REFUGES.

A NUMBER OF HUNTERS WERE INITIALLY CONCERNED THAT THE WILDERNESS DESIGNATIONS UNDER H.R. 2571 WOULD GREATLY LIMIT ROAD ACCESS AND THUS MAKE HUNTING MORE DIFFICULT OR IMPOSSIBLE. ACCORDING TO THE FISH AND WILDLIFE SERVICE, A COMPROMISE WAS REACHED IN JANUARY OF THIS YEAR REGARDING ACCESS ROADS LINKING THE WILDERNESS UNITS THAT SHOULD SATISFY THE VARIOUS USER GROUPS, INCLUDING HUNTERS, WITHOUT DIMINISHING THE WILDERNESS VALUE OF THESE AREAS.

H.R. 2571 ALSO ADDRESSES THE ISSUE OF ADJUDICATION OF WATER RIGHTS. THE INTERIOR COMMITTEE AND THE MERCHANT MARINE AND FISHERIES COMMITTEE HAS REACHED A BIPARTISAN COMPROMISE ON THIS ISSUE, AND I BELIEVE THE LANGUAGE WE HAVE BEFORE US TODAY IN H.R. 2571 IS NONCONTROVERSIAL AND IS SUPPORTED BY ALL PARTIES.

MR. SPEAKER, IN CLOSING I WOULD LIKE TO SAY THAT THE ARIZONA WILDLIFE REFUGE WILDERNESS ACT OF 1990 AS AMENDED IS A VERY GOOD BILL, AND I ASK MY COLLEAGUES TO ADOPT THIS MEASURE.

MR. JONES OF NORTH CAROLINA. MR. SPEAKER, TODAY I RISE IN SUPPORT OF MR. UDALL'S H.R. 2571, THE ARIZONA WILDLIFE REFUGE WILDERNESS ACT, WHICH WAS JOINTLY REFERRED TO THE INTERIOR AND INSULAR AFFAIRS COMMITTEE AND THE MERCHANT MARINE AND FISHERIES COMMITTEE.

THE COMMITTEE ON MERCHANT MARINE AND FISHERIES HAS JURISDICTION OVER MATTERS AFFECTING THE U.S. FISH AND WILDLIFE SERVICE AND THE NATIONAL WILDLIFE REFUGE SYSTEM, SO IT HAS A STRONG INTEREST IN ALL BILLS PROPOSING TO DESIGNATE WILDERNESS WITHIN NATIONAL WILDLIFE REFUGES. MY COMMITTEE HAS JURISDICTION OVER THE NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT, THE PRIMARY STATUTORY AUTHORITY GOVERNING THE MANAGEMENT OF NATIONAL WILDLIFE REFUGES. THAT ACT AUTHORIZES THE USE OF A VERY BROAD ARRAY OF HABITAT MANAGEMENT AND WILDLIFE CONSERVATION ACTIVITIES BY WILDLIFE REFUGE MANAGERS. THE FORMAL DESIGNATION OF WILDERNESS WITHIN A WILDLIFE REFUGE RESTRICTS THE USE OF SOME OF THESE MANAGEMENT AUTHORITIES OTHERWISE AVAILABLE TO A REFUGE MANAGER. A REFUGE WILDERNESS DESIGNATION, THEREFORE, IMPLICITLY AMENDS THE REFUGE ADMINISTRATION ACT AS IT IS SUBSEQUENTLY APPLIED TO THE NEW WILDERNESS AREA. IT IS FOR THIS REASON THAT MY COMMITTEE HAS A JURISDICTIONAL INTEREST IN THE WAY A WILDERNESS PROPOSAL MIGHT AFFECT THE FUTURE MANAGEMENT OF A GIVEN WILDLIFE REFUGE.

MY COMMITTEE HAS CAREFULLY REVIEWED THE MERITS OF THE WILDERNESS PROPOSALS FOR THE FOUR ARIZONA WILDLIFE REFUGES COVERED BY H.R. 2571 AND STRONGLY SUPPORTS THE DESIGNATION OF WILDERNESS FOR THOSE REFUGES. THE FISH AND WILDLIFE SERVICE RECENTLY TESTIFIED IN FRONT OF MY COMMITTEE IN FAVOR OF H.R. 2571, AND INDICATED THAT THE WILDERNESS DESIGNATIONS INCLUDED IN THE BILL WILL NOT ADVERSELY AFFECT OR UNDULY RESTRICT WILDLIFE MANAGEMENT OPERATIONS ON THESE FOUR DESERT WILDLIFE REFUGES.

FURTHERMORE, H.R. 2571, AS AMENDED, INCORPORATES COMPROMISES ON MANAGEMENT ISSUES SUCH AS ACCESS, FEDERAL WATER RIGHTS, AND MILITARY ACTIVITIES. THESE COMPROMISES SHOULD ACCOMMODATE THE VARIOUS USER GROUPS ON THESE REFUGES, INCLUDING HUNTERS, WITHOUT DIMINISHING THE WILDERNESS VALUE OF THESE AREAS.

IN ORDER TO ACCOMMODATE THE PERSONAL REQUEST OF MY DEAR FRIEND, MO UDALL, MY COMMITTEE EXPEDITED CONSIDERATION OF THIS BILL. I THINK THAT CHAIRMAN UDALL, SUBCOMMITTEE CHAIRMAN VENTO, AND THE ARIZONA DELEGATION SHOULD BE PROUD OF THEIR HARD WORK ON AN EXCELLENT BILL. THIS BILL WILL HELP PROTECT AN IMPORTANT PART OF THE DESERT HERITAGE OF THIS COUNTRY.

MR. KYL. MR. SPEAKER, I RISE IN SUPPORT OF H.R. 2571, THE ARIZONA WILDLIFE REFUGE WILDERNESS ACT.

JUST OVER A MONTH AGO, WE PASSED THE ARIZONA DESERT WILDERNESS ACT AFFECTING 1.1 MILLION ACRES OF LAND IN THE STATE OF ARIZONA WITHIN THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT. THIS BILL BUILDS UPON THAT EFFORT, SETTING ASIDE FOUR WILDLIFE REFUGES IN THE STATE IN THE SAME PROTECTIVE WILDERNESS STATUS.

THE FOUR REFUGES -- THE KOFA, THE CABEZA PRIETA, THE IMPERIAL AND HAVASU NATIONAL WILDLIFE REFUGES -- TOTAL 1.3 MILLION ACRES IN SOUTHWESTERN ARIZONA.

THE WATER RIGHTS LANGUAGE IN THIS BILL IS IDENTICAL TO THAT WHICH WE INCLUDED IN THE ARIZONA BLM WILDERNESS BILL. IT IS DESIGNED TO ENSURE THAT THE FEDERAL RESERVED WATER RIGHTS FOR THESE WILDERNESS AREAS WILL BE QUANTIFIED IN THE COURTS OF THE STATE OF ARIZONA.

MR. SPEAKER, IT IS MY UNDERSTANDING THAT THE ADMINISTRATION SUPPORTS THIS BILL. I URGE MY COLLEAGUES' SUPPORT.

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

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

The SPEAKER pro tempore (Mr. Harris). The question is on the motion offered by the gentleman from Minnesota [Mr. Vento] that the House suspend the rules and pass the bill, H.R. 2571, 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.