

have waited an additional half a decade for final resolution of these legal claims and for distribution of these judgment funds to eligible tribal members.

Mr. Speaker, the dominant media culture in this town, so fond of playing up differences that may exist among us, may little note nor long remember what transpires with this legislation today. But it is very profound, because it lifts a burden of uncertainty from members of the Gila River community.

The time is now for Congress to pass this legislation so that the community members' judgment funds may finally, finally be released to them. This is a chance where we come together as men and women of goodwill, as constitutional officers, to do the right thing for the right reasons, even though the timing has been somewhat delayed.

Mr. Speaker, I therefore urge my colleagues once again to support this important legislation, and once again thanking my friend from American Samoa and my new colleague from the First District of Arizona.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume to commend my good friend from Arizona not only for his eloquence, as always, but for the outstanding leadership that he has demonstrated as a member of our congressional caucus, as cochairman of the Native American Caucus, my good friend, the gentleman from Arizona (Mr. HAYWORTH) for his appreciation and understanding of the needs of the first Americans in our community.

I also would like to give recognition to the fact that we have two other Members who, unfortunately, because of schedules, just are not here but would have loved to testify in support of this legislation. So in a bipartisan fashion, I will just mention that my colleagues, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Arizona (Mr. PASTOR), I know, would have loved to be here to lend their support to this legislation.

Just a little sense of history, Mr. Speaker. As I stated earlier, in 1951, the Gila River Pima-Maricopa Indian Community sued the United States before the Indian Claims Commission seeking damages for failure of the United States to protect the community's historic use of the Salt River water during the period from 1880 to 1936. In 1999, in order to end continuing litigation between the community and the United States regarding the nature of the community's water rights under section 2 of the ICCA, and for this period, the United States, and that is the Department of Justice and the community, jointly moved the Federal Court of Claims to enter a final judgment against the United States in the amount of \$7 million in favor of the community. The final judgment entered into by the Court of Federal Claims finally disposed of all the community's claims and demands under section 2 of the ICCA.

As noted in the 1999 stipulation and joint motion for entry of final judgment, and because such claims are beyond the jurisdiction of the Indian Claims Commission, as conferred by section 2 of the Indian Claims Commission Act, the final judgment entered into by the Court of Federal Claims, pursuant to the stipulated settlement, does not dispose of claims that could be brought by the community with regard to the applicability of the Winters Doctrine or the full extent of other water rights.

The bottom line, Mr. Speaker, as stated by my good friend from the State of Arizona earlier, I think we have committed a tremendous injustice to this tribe. For the 42 years it has taken them to seek redress on this grievance, it has taken over 42 years, I think is a tremendous injustice and it is about time that we do something about this. I sincerely hope that my colleagues will support this legislation.

Again, I thank my good friend from Arizona for his support and his leadership.

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

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume to thank the gentleman from American Samoa, and like no other, the gentleman from Arizona (Mr. HAYWORTH), with his eloquence and articulation, has provided us not just the historical data here but the emotional data that goes with the Gila River judgment settlement.

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

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S.162.

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

A motion to reconsider was laid on the table.

BLACKWATER NATIONAL WILDLIFE REFUGE EXPANSION ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 274) to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge.

The Clerk read as follows:

H.R. 274

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 "Blackwater National Wildlife Refuge Expansion Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Garrett Island, located at the mouth of the Susquehanna River in Cecil County,

Maryland, is a microcosm of the geology and geography of the region, including hard rock piedmont, coastal plain, and volcanic formations.

(2) Garrett Island is the only rocky island in the tidal waters of the Chesapeake.

(3) Garrett Island and adjacent waters provide high-quality habitat for bird and fish species.

(4) Garrett Island contains significant archeological sites reflecting human history and prehistory of the region.

SEC. 3. AUTHORITY TO ACQUIRE PROPERTY FOR INCLUSION IN THE BLACKWATER NATIONAL WILDLIFE REFUGE.

(a) ACQUISITION.—The Secretary of the Interior may use otherwise available amounts to acquire the area known as Garrett Island, consisting of approximately 198 acres located at the mouth of the Susquehanna River in Cecil County, Maryland.

(b) ADMINISTRATION.—Lands and interests acquired by the United States under this section shall be managed by the Secretary as the Garrett Island Unit of the Blackwater National Wildlife Refuge.

(c) PURPOSES.—The purposes for which the Garrett Island Unit is established and shall be managed are the following:

(1) To support the Delmarva Conservation Corridor Demonstration Program.

(2) To conserve, restore, and manage habitats as necessary to contribute to the migratory bird populations prevalent in the Atlantic Flyway.

(3) To conserve, restore, and manage the significant aquatic resource values associated with submerged land adjacent to the unit and to achieve the habitat objectives of the agreement known as the Chesapeake 2000 Agreement.

(4) To conserve the archeological resources on the unit.

(5) To provide public access to the unit in a manner that does not adversely impact natural resources on and around the unit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

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

Mr. Speaker, H.R. 274 has been introduced by the chairman of the Subcommittee on Fisheries Conservation, Wildlife, and Oceans the gentleman from Maryland (Mr. GILCHREST). It has been the subject of two congressional hearings and extensive site visits by the U.S. Fish and Wildlife Service to Garrett Island, Maryland.

While there is a dispute over who should hold title to the 180 acres that comprise Garrett Island, there is no debate over the fact the island contains valuable resources that should be protected in the future and that the cost of acquiring the property is less than one-half million dollars. I have been assured the two private landowners who currently hold title to about 120 acres of Garrett Island, which is uninhabited, are willing to sell their property to the Federal Government in a voluntary manner.

The gentleman from Maryland (Mr. GILCHREST) has made a compelling case for incorporating this land within the existing Blackwater National Wildlife

Refuge and I urge a ye aye vote on this legislation.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, again I thank my good friend from Arizona for his management of this legislation. I thank also the chairman of the Subcommittee on Fisheries Conservation, Wildlife, and Oceans, the gentleman from Maryland (Mr. GILCHREST), who is the chief sponsor of this proposed legislation.

Mr. Speaker, this bill passed in committee last year and we are just going through the process and refining it even better. As stated by my good friend from Arizona, this noncontroversial legislation would authorize the U.S. Fish and Wildlife Service to expand the existing Blackwater National Wildlife Refuge through the acquisition of Garrett Island.

Mr. Speaker, wildlife habitats such as that found on Garrett Island is in short supply in the lower reach of the Susquehanna River. In fact, it is my understanding that Garrett Island is the only bedrock island in the tidal portion of the Chesapeake Bay System.

The Fish and Wildlife Service should be encouraged to pursue the addition of this valuable property to enhance the existing Blackwater Refuge Complex and also to ensure the long-term protection of important open space and fish and wildlife habitat.

Again, in closing, I want to express my full support of this proposed legislation. And I urge my colleagues to support this bill.

Mr. GILCHREST. Mr. Speaker, as the author of H.R. 274, I am pleased the House is considering this legislation to expand the boundaries of the Blackwater National Wildlife Refuge, which is located in my congressional district.

Garrett Island, which consists of approximately 180 acres, was the site of Maryland's second settlement in the 1600's. It is the only rocky island in the tidal waters of the Chesapeake Bay system, and it is a vital link between the Susquehanna River and the Bay. It also provides habitat to 44 different bird species, including eagles, Common Loons, Tundra Swans and 14 species of ducks.

I have visited Garrett Island and there is no question that its rich history, geographic location and wildlife resource values make it an excellent candidate for inclusion within the National Wildlife Refuge system. As a nation, we can ill afford to allow unique places, like Garrett Island, to be lost forever.

While I am disappointed that the U.S. Fish and Wildlife Service has not endorsed this idea, I was pleased to hear the agency testify that, "Given the Island's historic and archaeological values, its recreational opportunities, and its environmental education and interpretation potential, a concerted effort should be put forth to provide long-term protection and management of the island." This is the goal of H.R. 274.

The Cecil Land Trust has done everything it can to protect this important property, contributing \$150,000 toward the purchase of the island. Based on our hearing, Federal acquisition costs will be less than \$400,000, and little, if any, maintenance or personnel will be required in the future. The Chesapeake Bay Foundation had it right when it wrote that steps must be taken to "ensure protection of this largely unspoiled, historical and ecological gem."

I would urge my Colleagues to vote "aye" on H.R. 274! This is an important and necessary inclusion in our National Wildlife Refuge system, which celebrated its 100th birthday last month. This is exactly the type of place that Theodore Roosevelt had in mind when this unique system of public lands was created.

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

Mr. RENZI. 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. RENZI) that the House suspend the rules and pass the bill, H.R. 274.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material in the RECORD regarding the three bills just considered, H. Res. 173, H.R. 274, and S. 162.

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

There was no objection.

COMMUNICATION FROM DISTRICT MANAGER OF THE HONORABLE ROBERT C. SCOTT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Gisele P. Russell, District Manager of the Honorable Robert C. SCOTT, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2003.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Circuit Court of Newport News, Virginia in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and Privileges of the House.

Sincerely,

GISELE P. RUSSELL,
District Manager.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 4 o'clock and 28 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1834

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 6 o'clock and 34 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 204, by the yeas and nays;

House Concurrent Resolution 156, by the yeas and nays;

House Concurrent Resolution 149, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote. The third vote will be another 15-minute vote.

CONGRATULATING CHARTER SCHOOLS ACROSS THE UNITED STATES FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 204, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the resolution, H. Res. 204, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 0, answered "present" 5, not voting 26, as follows:

[Roll No. 146]
YEAS—403

Abercrombie	Barton (TX)	Blunt
Aderholt	Bass	Boehmert
Akin	Beauprez	Boehner
Alexander	Bell	Bonilla
Allen	Bereuter	Bonner
Andrews	Berkley	Bono
Baca	Berman	Boozman
Bachus	Berry	Boswell
Baird	Biggart	Boucher
Baker	Bilirakis	Bradley (NH)
Baldwin	Bishop (GA)	Brady (PA)
Ballance	Bishop (NY)	Brady (TX)
Ballenger	Bishop (UT)	Brown (OH)
Barrett (SC)	Blackburn	Brown (SC)
Bartlett (MD)	Blumenauer	Brown, Corrine