referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. WALKER). All points of order are reserved on the bill.

CORRECTIONS CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE EMINENT DOMAIN PREVENTION ACT

The Clerk called the bill (H.R. 2909) to amend the Silvio O. Conte National Fish and Wildlife Refuge Act to provide that the Secretary of the Interior may acquire lands for purposes of that act only by donation or exchange, or otherwise with the consent of the owner of the lands.

The Clerk read the bill, as follows:

H.R. 2909

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 ''Silvio O. Conte National Fish and Wildlife Refuge Emminent Domain Prevention Act''.

SEC. 2. RESTRICTION ON METHOD OF ACQUISITION OF LANDS FOR PURPOSES OF THE SILVIO O. CONTE NATIONAL FISH AND WILDLIFE REFUGE ACT.

Section 106 of the Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102–212; 16 U.S.C. 668dd note) is amended by adding at the end the following new subsection:

''(e) RESTRICTION ON METHOD OF ACQUISITION.—The Secretary may acquire lands for purposes of this title only by donation or exchange, or otherwise with the consent of the owner of the lands.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Massachusetts [Mr. STUDDS] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

MODIFICATION OFFERED BY MR. SAXTON

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that on page 2, line 5 of the bill, the word ''Emminent'' be corrected to read ''Eminent.''

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

There was no objection.

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

Mr. Speaker, H.R. 2909, the Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act, was introduced by Congressman CHARLES BASS on January 31, 1996. The bill directs the Secretary of the Interior to acquire lands for the Silvio O. Conte Refuge only with the consent of the landowner. Unlike many refuges, the Conte refuge spans four States—Vermont, Conneticut, Massachusetts, and New Hampshire. Landowners surrounding the refuge are concerned that eminent domain will be used to condemn their properties, so the Fish and Wildlife Service will be able to purchase the properties without the owners' consent. At the subcommittee's legislative hearing, the Fish and Wildlife Service did acknowledge that there is precedent for similar willing seller language already set in law. The Service also maintains that it does not intend to use eminent domain as a land acquisition tool for the Conte Refuge. That being the case, codifying this prohibition into statutory language would not adversely affect Fish and Wildlife Service operations. It would, however, serve the useful purpose of quelling landowner concerns.

I urge an ''aye'' vote on this bill in support of property owners' rights.

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

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

Mr. Speaker, believe it or not, I rise in opposition to H.R. 2909, because it is both an example of bad policy and bad process. When the Corrections Day Calendar was originally proposed, it was touted as a way to address bureaucracy that is particularly dumb, or to address obviously silly, redundant Government regulations in a rapid fashion. H.R. 2909 does not address silly Government regulations or bureaucracy, it addresses one of the fundamental powers granted to the Federal Government by the Constitution—the power of eminent domain. Supporters of this bill may claim that it is about protecting private property. But there is a world of difference between uncompensated takings of private property and the rare and judicious use of eminent domain to acquire private property, for fair market value, to protect public wildlife resources.

The Corrections Day Calendar was ostensibly created to expedite the passage of noncontroversial, bipartisan legislation. This legislation is controversial. I and a number of my colleagues on the Resources Committee oppose it. The administration opposes it. And environmental groups such as the Sierra Club, the Wilderness Society, and the Audubon Society oppose it. Lastly, I believe that if our late friend and colleague, Silvio Conte, were alive today, he would join me in opposing this legislation. Since the Fish and Wildlife Service has no intention to use eminent domain to acquire land for the refuge, H.R. 2909 is a solution in search of a problem.

It is my understanding that corrections day legislation should be narrow in scope. But, since H.R. 2909 sets a bad precedent for the entire 92 million acre National Wildlife Refuge System, it is much broader in scope than the problem it purports to address.

The Corrections Day Calendar was never intended to circumvent the committee process. However, the Corrections Day Advisory Group considered H.R. 2909 for placement on the Corrections Day Calendar a month and a half before the Resources Committee reported the bill.

The Silvio Conte National Fish and Wildlife Refuge represents a new kind of wildlife refuge that will protect a total of 78,000 acres using a combination of conservation easements, cooperative agreements, and cost-sharing partnerships. This approach minimizes the need for Federal land acquisition: Only about 6,500 acres, spread over the States of New Hampshire, Vermont, Connecticut, and Massachusetts, will be under Federal ownership. And how is this innovative approach rewarded? By the adoption of punitive legislation that restricts the ability of the Fish and Wildlife Service to protect public wildlife resources when they are threatened.

The Fish and Wildlife Service is entrusted with the power of eminent domain to acquire lands for the greater public good. Although eminent domain authority is a tool of last resort for the Service, without it there is ultimately no way to protect land already purchased with taxpayer dollars from adjacent harmful development or to prevent the destruction of critically important wildlife habitat. If we deny the Service this tool, we make it that much more difficult to protect effectively the public interest in habitat conservation.

Furthermore, this bill exclusively ties the hands of the Federal Government in protecting the public interest in fish, game, and wildlife habitat. I am not aware of any attempts to restrict eminent domain authority when it is applied to highways, dams, or other public works projects in New England. In establishing a differential standard for application of the power of eminent domain, H.R. 2909 relegates wildlife habitat protection to second-class status. That is wrong.

For these reasons, I oppose H.R. 2909 and feel that it was inappropriately placed on the Corrections Calendar. I urge the House to reject this legislation.

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

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Speaker, I rise in support of this piece of legislation. I would like to thank the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Alaska [Mr. YOUNG] for moving this bill promptly, in an expeditious fashion. I believe that their understanding of the time-sensitive nature of this matter in allowing H.R. 2909 to move in an expeditious manner is important.

Mr. Speaker, simply put, as we have heard, this bill will smooth the road for the creation of the Silvio O. Conte Refuge by reassuring local residents, and folks who live in the affected areas, that their land will not be taken by