

ORDER NO. 3217

SIGNATURE DATE: September 13, 2000

Subject: Designation of the Battle of Midway National Memorial

Sec. 1 **Purpose.** The Battle of Midway, fought from June 4-6, 1942, is recognized as one of the most decisive battles of World War II and proved to be the turning point of the War in the Pacific. The U.S. Navy has recognized the Battle of Midway as one of the two most significant dates in naval history. The purpose of this Order is to designate Midway Atoll National Wildlife Refuge as the Battle of Midway National Memorial, so that the heroic courage and sacrifice of those who fought against overwhelming odds to win an incredible victory will never be forgotten. Included within the boundaries of the National Memorial are all lands and waters within Midway Atoll National Wildlife Refuge, between the boundaries of 28 degrees 5 minutes to 28 degrees 25 minutes North latitude, and 177 degrees 10 minutes to 177 degrees 30 minutes West longitude. Tribute will be given within this National Memorial to the aircraft and ships, such as the *Yorktown* and *Hammann*, that did not return from the Battle and lie beyond these boundaries.

Sec. 2 **Authority.** The authority for this Order was conferred upon the Secretary of the Interior by Section 126 of the General Provisions for the U.S. Department of the Interior within Appendix C of the *Consolidated Appropriations Act for Fiscal Year 2000* (Public Law 106-113), dated November 29, 1999. Further authorities and responsibilities for management of the National Memorial are provided within the Archaeological Resources Protection Act (16 U.S.C. 470aa-11), the Archaeological and Historic Preservation Act (16 U.S.C. 469), the National Historic Preservation Act (16 U.S.C. 470), and the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended.

Sec. 3 **Administration.** The administration, protection, and development of this National Memorial shall be exercised by the U.S. Fish and Wildlife Service, in accordance with the historic preservation laws cited above. To facilitate development of a strategy for the dedication and management of this National Memorial and as directed by Congress, the U.S. Fish and Wildlife Service will form a planning committee composed of representatives from Federal agencies and citizen groups interested in the Battle of Midway. This planning committee will complete its recommendations to the U. S. Fish and Wildlife Service within one year after signature of this Secretary's Order.

Since the U.S. Navy considers the Battle of Midway as one of the two most significant dates in naval history, the U.S. Fish and Wildlife Service will continue to coordinate with the U.S. Navy and U.S. Marine Corps, and particularly with the Naval Historical Center, in planning appropriate recognition of the Battle and managing historic resources from the Battle of Midway. All shipwrecks and downed aircraft resulting from the Battle of Midway remain the property of the U.S. Navy and are protected under Navy regulations.

Sec. 4 **Effective Date.** This Order is effective immediately.

/s/ Bruce Babbitt
Secretary of the Interior

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