

Mr. ABERCROMBIE. Mr. Speaker, I do not believe that there are any further statements from this side, so I will reserve the balance of my time at this time in case a Member comes.

Mr. DOOLITTLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee [Mr. DUNCAN], a cosponsor of the bill.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from California [Mr. DOOLITTLE] for yielding this time to me, and I rise in support of H.R. 1179, which was introduced originally by my colleague, the gentleman from Tennessee [Mr. CLEMENT], and I certainly commend him for his work on this project. The chairman and ranking member of the committee have been recognized, and I appreciate their support, but I also appreciate the support of the gentleman from Utah [Mr. HANSEN], chairman of the Subcommittee on National Parks, Forests and Lands, who was also instrumental in this bill.

I am proud to be an original cosponsor of this bill, and I am proud of the work that we have done on it in the Committee on Resources. I supported this legislation because it benefits one of this Nation's most important resources, our historically black colleges and universities.

H.R. 1179 will provide matching grants for restoration and preservation of historic buildings on campuses of historically black colleges and universities.

During the 103d Congress almost identical legislation passed the House by a voice vote. Unfortunately, the bill did not make it to the President before the 103d Congress adjourned.

The major difference in this bill and the one passed in the 103d Congress is the cost. Mr. Speaker, we have reduced the cost of this legislation by \$35 million over the legislation passed in the last Congress.

My family and I have been especially close to one historical black college which is specifically mentioned in this bill, Knoxville College. My father was a member of the Knoxville College board of trustees for many years, as was my mother. Knoxville College, along with other historical black colleges and black universities, has produced some of the best leaders, some of the finest leaders, we have in this Nation today. In fact, some of our past and present colleagues in the House have attended and graduated from historically black colleges and universities.

Mr. Speaker, if we want to ensure that minority individuals are trained and educated to make the maximum contribution to American society, it is in our self-interest to invest in institutions which prepare them for tomorrow's technological, educational, and commercial challenges.

This Nation needs black colleges and universities because they have produced and do produce some of the best and brightest in every field of endeavor. The investment called for in this bill is a very modest one, but a very wise one.

Most of our Federal money, Mr. Speaker, goes to our largest universities, most often State universities. The colleges that are helped by this bill are usually, for the most part, very small colleges, but not everyone in this country, not every student, belongs in a gigantic State university. Some students, many students, need the environment that a small college offers them, and I think this is very good legislation.

Mr. Speaker, I urge support for this legislation, and I urge my colleagues to support this legislation, and I urge that it be passed.

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

Mr. ABERCROMBIE. Mr. Speaker, I have no further requests for time, although I imagine, because of today's schedule, some who might have wanted to speak were not able to be here, and I presume their statements will be made at another point in the RECORD.

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

Mr. DOOLITTLE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the bill, H.R. 1179, 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.

□ 1500

## NATIONAL MARINE SANCTUARIES PRESERVATION ACT

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3487) to reauthorize the National Marine Sanctuaries Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3487

*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 "National Marine Sanctuaries Preservation Act".

### SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of National Marine Sanctuaries Act (16 U.S.C. 1431-1445a).

### SEC. 3. REAUTHORIZATION OF THE NATIONAL MARINE SANCTUARIES ACT.

Section 313 (16 U.S.C. 1444) is amended to read as follows:

"SEC. 313. AUTHORIZATION OF APPROPRIATIONS. "There are authorized to be appropriated to the Secretary to carry out this title—

"(1) \$12,000,000 for fiscal year 1997;

"(2) \$15,000,000 for fiscal year 1998; and

"(3) \$18,000,000 for fiscal year 1999."

### SEC. 4. MANAGEMENT, RECOVERY, AND PRESERVATION PLAN FOR U.S.S. MONITOR.

The Secretary of Commerce shall, within 12 months after the date of the enactment of this Act, prepare and submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a long-range, comprehensive plan for the management, stabilization, preservation, and recovery of artifacts and materials of the United States Ship Monitor. In preparing and implementing the plan, the Secretary shall to the extent feasible utilize the resources of other Federal and private entities with expertise and capabilities that are helpful.

### SEC. 5. PUBLICATION OF NOTICE OF CERTAIN ADVISORY COUNCIL MEETINGS.

Section 315(e)(3) (16 U.S.C. 1445a(e)(3)) is amended by inserting before the period at the end the following: ", except that in the case of a meeting of an Advisory Council established to provide assistance regarding any individual national marine sanctuary the notice is not required to be published in the Federal Register".

### SEC. 6. ENHANCING SUPPORT FOR NATIONAL MARINE SANCTUARIES.

(a) INCORPORATION OF EXISTING PROVISION.—Section 316 (16 U.S.C. 1445 note) is redesignated as section 317, section 2204 of the National Marine Sanctuaries Program Amendments Act of 1992 (106 Stat. 5049) is moved so as to appear in the National Marine Sanctuaries Act following section 315, and that moved section is designated as section 316 of the National Marine Sanctuaries Act.

(b) AMENDMENT OF INCORPORATED SECTION.—Section 316, as moved and designated by subsection (a) of this section, is amended as follows:

(1) Subsections (a), (g), and (h) are struck, and subsections (b), (c), (d), (e), and (f) are redesignated as subsections (a), (b), (c), (d), and (e), respectively.

(2) In subsection (a), as so redesignated, the matter preceding paragraph (1) is struck and the following is inserted:

"(a) AUTHORITY.—The Secretary may establish a program consisting of—"

(3) In subsection (a)(5), as so redesignated—  
(A) "establishment" is struck and "solicitation" is inserted; and

(B) "fees" is struck and "monetary or in-kind contributions" is inserted.

(4) In subsection (a)(6), as so redesignated—  
(A) "fees" is struck and "monetary or in-kind contributions" is inserted; and

(B) "paragraph (5)" is struck and "paragraphs (5) and (6)" is inserted;

(C) "assessed" is struck and "collected" is inserted; and

(D) "in an interest-bearing revolving fund" is struck.

(5) In subsection (a)(7), as so redesignated—  
(A) "and use" is inserted after "expenditure";

(B) "fees" is struck and "monetary and in-kind contributions" is inserted; and

(C) "and any interest in the fund established under paragraph (6)" is struck.

(6) In subsection (a), as so redesignated, paragraphs (5), (6), and (7) are redesignated in order as paragraphs (6), (7), and (8), and the following new paragraph is inserted after paragraph (4):

"(5) the creation, marketing, and selling of products to promote the national marine sanctuary program, and entering into exclusive or nonexclusive agreements authorizing entities to create, market or sell on the Secretary's behalf;"

(7) The following new sentence is added at the end of subsection (a), as so redesignated: "Monetary and in-kind contributions raised through the sale, marketing, or use of symbols and products related to an individual

national marine sanctuary shall be used to support that sanctuary."

(8) In subsection (e), as so redesignated—

(A) paragraph (2) is struck;

(B) in paragraph (1), "(1)" is struck, and subparagraphs (A), (B), (C), and (D) are redesignated as paragraphs (1), (2), (3), and (4); and

(C) in paragraph (3), as so redesignated, "fee" is struck and "monetary or in-kind contribution" is inserted.

(9) In each of subsections (b), (c), and (d), as so redesignated, by striking "subsection (b)" and inserting "subsection (a)".

#### SEC. 7. HAWAIIAN ISLANDS NATIONAL MARINE SANCTUARY.

(a) INCLUSION OF KAHOO LAWE ISLAND WATERS.—Section 2305 of the Hawaiian Islands National Marine Sanctuary Act (16 U.S.C. 1433 note) is amended—

(1) in subsection (a)—

(A) by striking "(A)" and inserting "(a)"; and

(B) by striking "the area described in subsection (b) is" and inserting "the area described in subsection (b)(1) and any area included under subsection (b)(2) are";

(2) by amending subsection (b)(2) to read as follows:

"(2)(A) Within 6 months after the date of receipt of a request in writing from the Kahoolawe Island Reserve Commission for inclusion within the Sanctuary of the area of the marine environment within 3 nautical miles of the mean high tide line of Kahoolawe Island (in this section referred to as the 'Kahoolawe Island waters'), the Secretary shall determine whether those waters may be suitable for inclusion in the Sanctuary.

"(B) If the Secretary determines under subparagraph (A) that the Kahoolawe Island waters may be suitable for inclusion within the Sanctuary—

"(i) the Secretary shall provide notice of that determination to the Governor of Hawaii; and

"(ii) the Secretary shall prepare a supplemental environmental impact statement, management plan, and implementing regulations for that inclusion in accordance with this Act, the National Marine Sanctuaries Act, and the National Environmental Policy Act of 1969."; and

(3) by amending subsection (c) to read as follows:

"(c) EFFECT OF OBJECTION BY GOVERNOR.—

(1)(A) If, within 45 days after the date of issuance of the comprehensive management plan and implementing regulations under section 2306, the Governor of Hawaii certifies to the Secretary that the management plan, the implementing regulations, or any term of the plan or regulations is unacceptable, the management plan, regulation, or term, respectively, shall not take effect in the area of the Sanctuary lying within the seaward boundary of the State of Hawaii.

"(B) If the Secretary considers that an action under subparagraph (A) will affect the Sanctuary in such a manner that the policy or purposes of this title cannot be fulfilled, the Secretary may terminate the designation under subsection (a). At least 30 days before that termination, the Secretary shall submit written notice of the termination to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

"(2)(A) If, within 45 days after the Secretary issues the documents required under subsection (b)(2)(B)(ii), the Governor of Hawaii certifies to the Secretary that the inclusion of the Kahoolawe Island waters in the Sanctuary or any term of that inclusion is unacceptable—

"(i) the inclusion or the term shall not take effect; and

"(ii) subsection (b)(2) shall not apply during the 3-year period beginning on the date of that certification.

"(B) If the Secretary considers that an action under subparagraph (A) regarding a term of the inclusion of the Kahoolawe Island waters will affect the inclusion or the administration of the Kahoolawe Island waters as part of the Sanctuary in such a manner that the policy or purposes of this title cannot be fulfilled, the Secretary may terminate that inclusion."

(b) LIMITATION ON USER FEES.—The Hawaiian Islands National Marine Sanctuary Act (16 U.S.C. 1433 note) is further amended by redesignating section 2307 as section 2308, and by inserting after section 2306 the following new section:

#### "SEC. 2307. LIMITATION ON USER FEES.

"(a) LIMITATION.—The Secretary shall not institute any user fee under this Act or the National Marine Sanctuaries Act for any activity within the Hawaiian Islands National Marine Sanctuary or any use of the Sanctuary or its resources.

"(b) USER FEE DEFINED.—In this section, the term 'user fee' does not include—

"(1) any fee authorized by section 310 of the National Marine Sanctuaries Act;

"(2) any gift or donation received under section 311 of that Act; and

"(3) any monetary or in-kind contributions under section 316 of that Act."

#### SEC. 8. FLOWER GARDEN BANKS BOUNDARY MODIFICATION.

(a) MODIFICATION.—Notwithstanding section 304 of the National Marine Sanctuaries Act (16 U.S.C. 1434), the boundaries of the Flower Garden Banks National Marine Sanctuary, as designated by Public Law 102-251, are amended to include the area described in subsection (d), popularly known as Stetson Bank. This area shall be part of the Flower Garden Banks National Marine Sanctuary and shall be managed and regulated as though it had been designated by the Secretary of Commerce under the National Marine Sanctuaries Act.

(b) DEPICTION OF SANCTUARY BOUNDARIES.—The Secretary of Commerce shall—

(1) prepare a chart depicting the boundaries of the Flower Garden Banks National Marine Sanctuary, as modified by this section; and

(2) submit copies of this chart to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) APPLICATION OF REGULATIONS.—Regulations issued by the Secretary of Commerce to implement the designation of the Flower Garden Banks National Marine Sanctuary shall apply to the area described in subsection (d), unless modified by the Secretary. This subsection shall take effect 45 days after the date of enactment of this Act.

(d) AREA DESCRIBED.—

(1) IN GENERAL.—Except as provided in paragraph (2), the area referred to in subsections (a), (b), and (c) is the area that is—

(A) generally depicted on the Department of the Interior, Minerals Management Service map titled "Western Gulf of Mexico, Lease Sale 143, September 1993, Biologically Sensitive Areas, Map 3 of 3, Final";

(B) labeled "Stetson" on the High Island Area South Addition diagram on that map; and

(C) within the 52 meter isobath.

(2) MINOR BOUNDARY ADJUSTMENTS.—The Secretary of Commerce may make minor adjustments to the boundaries of the area described in paragraph (1) as necessary to protect living coral resources or to simplify administration of the Flower Garden Banks National Marine Sanctuary and to establish

precisely the geographic boundaries of Stetson Bank. The adjustments shall not significantly enlarge or otherwise alter the size of the area described in paragraph (1), and shall not result in the restriction of oil and gas activities otherwise permitted outside of the "no activity" zone designated for Stetson Bank as that zone is depicted on the Minerals Management Service map entitled "Final Notice of Sale 161, Western Gulf Mexico, Biological Stipulation Map Package".

(e) PUBLICATION OF NOTICE.—

(1) IN GENERAL.—The Secretary of Commerce shall, as soon as practicable after the date of the enactment of this Act, publish in the Federal Register a notice describing—

(A) the boundaries of the Flower Garden Banks National Marine Sanctuary, as modified by this section, and

(B) any modification of regulations applicable to that Sanctuary that are necessary to implement that modification of the boundaries of the Sanctuary.

(2) TREATMENT AS NOTICE REQUIRED UNDER NATIONAL MARINE SANCTUARIES ACT.—A notice published under paragraph (1) shall be considered to be the notice required to be published under section 304(b)(1) of the National Marine Sanctuaries Act (16 U.S.C. 1434(b)(1)).

(f) AUTHORIZATION OF APPROPRIATIONS.—Amounts may be appropriated to carry out this section under the authority provided in section 313 of the National Marine Sanctuaries Act, as amended by this Act.

#### SEC. 9. MISCELLANEOUS TECHNICAL CORRECTIONS.

(a) Section 301(b)(2) of the National Marine Sanctuaries Act (16 U.S.C. 1431(b)(2)) is amended by striking the period at the end and inserting a semicolon.

(b) Section 302 of the National Marine Sanctuaries Act (16 U.S.C. 1432) is amended—

(1) in paragraph (6) by striking ", and" at the end of subparagraph (C) and inserting a semicolon; and

(2) in paragraph (7) by striking "and" after the semicolon at the end.

(c) Section 307(e)(1)(A) of the National Marine Sanctuaries Act (16 U.S.C. 1437(e)(1)(A)) is amended by inserting "of 1980" before the period at the end.

(d) Section 2109 of the National Marine Sanctuaries Program Amendments Act of 1992 (106 Stat. 5045) is amended by striking the open quotation marks before "Section 311".

(e) Section 2110(d) of the National Marine Sanctuaries Program Amendments Act of 1992 (106 Stat. 5046) is deemed to have amended section 312(b)(1) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1443(b)(1)) by inserting "or authorize" after "undertake".

(f) The material added to the Marine Protection, Research, and Sanctuaries Act of 1972 by section 2112 of the National Marine Sanctuaries Program Amendments Act of 1992 (106 Stat. 5046)—

(1) is deemed to have been added by that section at the end of title III of the Marine Protection, Research, and Sanctuaries Act of 1972; and

(2) shall not be considered to have been added by that section to the end of the Marine Protection, Research, and Sanctuaries Act of 1972.

(g) Section 2202(e) of the National Marine Sanctuaries Program Amendments Act of 1992 (16 U.S.C. 1433 note) is amended by striking "section 304(e)" and inserting "304(d)".

(h) Section 304(b)(3) of the National Marine Sanctuaries Act (16 U.S.C. 1434(b)(3)) is amended—

(1) by striking subparagraphs (B) and (C);

(2) by moving the text of subparagraph (A) so as to begin at the end of the line on appears the heading for paragraph (3);

(3) by moving clauses (i) and (ii) of subparagraph (A) 2 ems to the left, so that the left margins of clauses (i) and (ii) are aligned with the left margin of paragraph (3);

(4) by striking "(A) In" and inserting "In";

(5) by striking "(i)" and inserting "(A)"; and

(6) by striking "(ii)" and inserting "(B)".

#### SEC. 10. NORTHWEST STRAITS.

(a) NORTHWEST STRAITS MARINE RESOURCES PROTECTION ADVISORY COMMITTEE.—(1) There shall be established, within 120 days after the date of enactment of this subsection, the Northwest Straits Marine Resources Protection Advisory Committee, consisting of 11 members appointed by the Secretary of Commerce, at least 8 of whom are appointed in accordance with paragraph (2) and at least 1 of whom is appointed from each of the following counties in western Washington: Jefferson, San Juan, Island, Whatcom, Skagit, Snohomish, and Clallam. This Advisory Committee shall be exempt from the Federal Advisory Committee Act.

(2) The Secretary of Commerce shall appoint members of the Advisory Committee from a list of individuals submitted by each county specified in paragraph (1), in accordance with the following requirements:

(A) A county may not submit the names of individuals to the Secretary for appointment unless the county has determined that each individual, by reason of his or her occupational or other experience, scientific expertise, or training, is knowledgeable regarding the conservation and management, or the commercial or recreational harvest or use, of the marine resources of the Northwest Straits.

(B) Each list shall include the names and pertinent biographical data of not less than 3 individuals for each applicable vacancy and shall be accompanied by a statement by the county explaining how each individual meets the requirements under paragraph (1).

(C) The Secretary shall review each list submitted by a county to ascertain if the individuals on the list are qualified for the vacancy on the basis of the requirements under subparagraph (A). If the Secretary determines that no individual on a county's list is qualified, the Secretary shall notify the county in writing of that determination, and provide the county an explanation of that determination. The county shall then submit a revised list or resubmit the original list with an additional explanation of the qualifications of the individuals in question.

(b) ADVISORY COMMITTEE REPORT.—Within 1 year of the enactment of this Act, the Advisory Committee established under subsection (a) shall report to the Secretary of Commerce on the adequacy of existing marine resources protection under local, State, and Federal laws in the Northwest Straits. This report shall recommend whether a special resources management area is necessary to protect the marine resources of the Northwest Straits. If the Advisory Committee recommends that a special resources management area is necessary, then the report shall specify whether that area should constitute a non-Federal management area, a national marine sanctuary, or some other form. The Secretary shall make available to the Advisory Committee any staff, information, administrative services, or other assistance reasonably required to carry out its functions.

(c) SUBMISSION OF NORTHWEST STRAITS DRAFT ENVIRONMENTAL IMPACT STATEMENT.—The Secretary of Commerce shall not issue a draft Environmental Impact Statement under the National Environmental Policy Act of 1969 on a national marine sanctuary in the Northwest Straits until receipt of the report required under subsection (b). If the

Secretary issues a draft Environmental Impact Statement, it shall include the Advisory Committee's recommendation as an alternative.

(d) SUBMISSION OF DOCUMENTS.—In the case of a national marine sanctuary in the Northwest Straits, on the same day the notice required by section 304(a)(1)(A) of the National Marine Sanctuaries Act is issued, the Secretary of Commerce shall submit the documents required by section 304(a)(1)(C) of the National Marine Sanctuaries Act to the Advisory Committee established under subsection (a) and shall publish notice of that submission in the Federal Register. The Advisory Committee shall then within 60 days review those documents and make recommendations to the Secretary regarding designation. Upon receipt of the recommendations of the Advisory Committee, the Secretary shall submit the documents required by section 304(a)(1)(A) of the National Marine Sanctuaries Act along with recommendations of the Advisory Committee to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(e) CONGRESSIONAL AUTHORIZATION OF DESIGNATION REQUIRE.—No designation of an area in the Northwest Straits as a national marine sanctuary under the National Marine Sanctuaries Act shall take effect unless that designation is specifically authorized by a law enacted after the date of publication of the notice of submission required under subsection (d).

(f) DEFINITIONS.—

(1) NORTHWEST STRAITS.—In this section the term "Northwest Straits" means the area generally described as the Washington State Nearshore area in the notice published by the Secretary of Commerce in the Federal Register on August 4, 1983.

(2) COUNTY.—In subsection (a)(2), the term "county" means each local elected legislative body that represents a county specified in subsection (a)(1).

#### SEC. 11. DESIGNATION OF GERRY E. STUDDS STELLWAGEN BANK NATIONAL MARINE SANCTUARY.

The Stellwagen Bank National Marine Sanctuary shall be known and designated as the "Gerry E. Studts Stellwagen Bank National Marine Sanctuary". Any reference in a law, map, regulation, document, paper, or other record of the United States to that national marine sanctuary shall be deemed to be a reference to the "Gerry E. Studts Stellwagen Bank National Marine Sanctuary".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR] each will control 20 minutes.

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

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

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

Mr. Speaker, today we are considering H.R. 3487, which was introduced on May 16 by the gentleman from California [Mr. FARR] and by me. I might say at this point, Mr. Speaker, that so often partisanship seems to be the byword around these chambers. In this case, partisanship, as far as I can determine, played no part whatsoever. The gentleman from California [Mr. FARR], and I and others worked together as Republicans and Democrats on a very

amicable basis, and I believe produced a product which reflects that kind of bipartisanship.

We introduced this bill to reauthorize the National Marine Sanctuaries Act through the year 1999.

The National Marine Sanctuaries Act is implemented by the National Oceanic and Atmospheric Administration through the National Marine Sanctuaries Program. The mission of this program is to protect significant marine environmental and cultural resources while ensuring the continuation of all compatible public and private uses. To accomplish this, the program oversees a system of specially managed marine areas. These areas include highly valuable environmental and historical features.

Over the past 21 years 14 national marine sanctuaries have been designated off our Nation's shore, from Massachusetts to Florida to the Gulf of Mexico and Hawaii. Two more are active candidates for designation, one in the Great Lakes and one in the waters of Washington State.

H.R. 3487 authorizes funding for the National Marine Sanctuaries Program through the year 1999; directs the Secretary of Commerce to prepare and submit to Congress a long-range plan for management, recovery, and preservation of the U.S.S. *Monitor*; authorizes the Secretary to designate sponsors for the sanctuary program to create, market, and sell symbols and products to promote them; and designates that the money collected from those items sold at the sanctuary can be retained and used by that sanctuary.

This bill also adds Stetson Bank to the Flower Garden Banks National Marine Sanctuary in Texas; simplifies the designation process for a minor addition to the Hawaiian Islands Humpback Whale National Marine Sanctuary and prohibits user fees in that sanctuary; and establishes an advisory committee, and this was of special import to the gentleman from Washington, Mr. JACK METCALF, establishes an advisory committee on the Northwest Straits Sanctuary proposal, and requires congressional approval for designation of that sanctuary. These are small changes that will allow the system to operate more effectively and efficiently and to be more responsive to the public's concerns.

Finally, of special interest to me and to other members of the committee, H.R. 3487 renames the Stellwagen Bank National Marine Sanctuary in honor of our colleague, the gentleman from Massachusetts, GERRY STUDDS.

As many of my colleagues know, the gentleman from Massachusetts [Mr. STUDDS] has been a Member of the Congress for 24 years and has announced his retirement. The gentleman from Massachusetts [Mr. STUDDS] replaced Walter Jones in 2½, actually almost 4 years now as chairman of the Committee on Merchant Marine and Fisheries, and acted at that time as well as chairman of the Fish and Wildlife Subcommittee, and became the ranking

member of the Subcommittee on Fisheries, Wildlife and Oceans in this term under the auspices of the current committee setup.

I would just like to say also, Mr. Speaker, that were it not for the gentleman from Massachusetts, GERRY STUDDS, and his ideas and his enthusiasm and the effort that he has put into his committee work, many of the programs and projects that we have worked on on a bipartisan basis simply would not be. So it is because he was instrumental in getting Stellwagon designated as a sanctuary, and by naming it in his honor we recognize his outstanding leadership in marine protection efforts during the past two decades plus of years of service in the House.

We also reauthorize the National Marine Sanctuaries Act this year, and by doing so we will demonstrate our collective commitment to protecting and wisely managing our Nation's marine natural resources. Therefore, I urge a "yea" vote on H.R. 3487.

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

Mr. FARR of California. I yield myself such time as I may consume, Mr. Speaker.

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise in strong support of H.R. 3487. I want to thank the chairman, the gentleman from New Jersey [Mr. SAXTON], for the great bipartisan cooperation in which we have come to work together to produce this piece of legislation. This bill continues our subcommittee's success under his leadership in crafting a sound, bipartisan ocean policy.

When we first introduced this legislation, we had over 20 other original sponsors, equally divided between both sides of the aisle. We have worked hard in the spirit of close cooperation to resolve the problems we have faced in moving the bill through the subcommittee and the full committee. While it is a modest bill, this legislation will help the National Marine Sanctuary Program to continue as one of the most effective and most cost-efficient resource conservation efforts in America.

America's 13 marine sanctuaries are the national parks of our oceans. They celebrate and preserve some of the Nation's most significant ocean resources. Like our landbound national parks, our marine sanctuaries focus our attention on how important sound environmental stewardship is to our quality of life and to the quality of economies in our local communities.

In my own district, the Monterey Bay National Marine Sanctuary plays a central part in the recreational and economic lives of my constituents. The Monterey Bay National Marine Sanctuary embraces the entire coast of the central part of California. It is the largest protected marine area in the United States, second only to Aus-

tralia's Great Barrier Reef in size. It encompasses more than 4,000 square nautical miles of open ocean along 350 miles of shoreline.

However, the marine sanctuaries are not just about conserving resources. They are also about protecting coastal economies. The Monterey Bay Sanctuary is key to my district's \$1 billion tourism industry. Indeed, one of this Nation's premiere tourist attractions, the Monterey Bay Aquarium, is a thriving business that depends upon the extraordinary marine life of the Monterey Bay Sanctuary. It is also the nerve center of the world's largest concentration of ocean scientists, working in 12 diverse marine research facilities. Finally, the sanctuary supports a prosperous fishing industry.

All of this comes at a very modest cost. It is truly a bargain for our taxpayers. But, like all Government programs, the sanctuaries need to make the most of their funding. This bill helps them accomplish that by allowing sanctuaries to develop for the first time, trademark, and market logos and other merchandise to help supplement their funding.

Finally, Mr. Speaker, I want to recognize what was pointed out by the chairman, the gentleman from New Jersey [Mr. SAXTON], the work of our colleague, the gentleman from Massachusetts, GERRY STUDDS. Without a doubt, he is one of the most outstanding Members of this House. He has built the basis for American ocean policy as chairman of the former Merchant Marine and Fisheries Committee.

This bill recognize that contribution by renaming the Stellwagon Bank National Marine Sanctuary in his honor. It will now be known as the Gerry E. Studds Stellwagon Bank National Marine Sanctuary. We will miss his knowledge and wit, but we will forever remember his name and contribution to our committee and to this country.

Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE].

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

Mr. Speaker, before I begin my remarks on the particular section of the bill that applies to Hawaii, I, too, would like to add my voice to the accolades that have been extended to the gentleman from Massachusetts [Mr. STUDDS].

Mr. Speaker, I first had the opportunity to listen, not to hear but to listen to the gentleman from Massachusetts [Mr. STUDDS], in 1986 when I had the good fortune to be elected in a special election to take up the remaining time of a Member of this body that had resigned to run for another office. In the brief time that I was here in 1986, I had the opportunity to participate in activities of the Merchant Marine and Fisheries Committee, and had the opportunity when I was elected in 1990 to again join that committee.

I say "opportunity," because it was there that I, I am sure, had an experience that has been shared with many, many other Members of the House of Representatives, the chance to listen to and to observe and to absorb the perspective and analysis of ocean policy that was the forte of the gentleman from Massachusetts [Mr. STUDDS]. There are few people in this body, perhaps in the history of this body, better able to articulate their thoughts, particularly with respect to ocean policy, environmental policy.

I think Mr. STUDDS is universally respected for his intellect and for the depth of his perspective on these issues. As the gentleman from California [Mr. FARR] and the gentleman from New Jersey [Mr. SAXTON] have indicated, I doubt whether there is anyone in this body, including the renowned gentleman from Massachusetts [Mr. FRANK], who has a quicker wit, a brighter intelligence, a sense of himself entirely self-contained, as opposed to perhaps some others in this body, someone who understands his role and has illuminated many, many corners which would otherwise remain abstract and obscure to the rest of us.

It is always a lesson in oratory, I think, as well as perspective, to be able to listen to Mr. STUDDS outline for those of us who may not be entirely familiar with the legislation at hand, particularly in regard to the ocean, ocean policy, and fisheries, to be able to listen to him enumerate and elucidate for us on those areas, and come to not only a good understanding but solid commitment. I think that is why, as has been indicated, bipartisan support for so much in the way of ocean policy has been forthcoming, is because GERRY STUDDS has been able to articulate for all Members of the body not entirely familiar with the legislation exactly what it was about, exactly what the implications were, exactly what was in the national interest, and therefore was able to gain the approbation and good will of virtually every Member of the body for legislation that would otherwise be very difficult to comprehend.

I really wish him the very best in whatever it is that he will be doing, but I can say with assurance, Mr. Speaker, that this body will be the poorer for him taking leave of it.

Mr. Speaker, I rise today, then, to voice my support for H.R. 3487, the aforementioned National Marine Sanctuaries Preservation Act. I, too, wish to thank the gentleman from New Jersey [Mr. SAXTON] and others on the committee, both Republican and Democrat, who have worked so hard in this reauthorization. This bipartisan piece of legislation was introduced by the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR]. I think the description they gave of the process by which it has arrived here today is an exact one. It was a pleasure to work with both of them.

Hawaii is one of the 14 major areas where National Marine Sanctuaries, of which the prime objective is to protect our marine resources, have been designated and are in various stage of implementation. In fact, the final environmental impact statement/management plan on the designation of the Hawaiian Islands Humpback Whale Sanctuary is set to be released later this month.

In particular, H.R. 3487, thanks to the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR], contains two provisions specific to the Hawaiian Islands Humpback Whale National Marine Sanctuary Act regarding the designation of the waters around the Island of Kaho'olawe for inclusion in the sanctuary and the prohibition of the establishment of user fees in the sanctuary.

May I add parenthetically, Mr. Speaker, that this is a good example of the hard work and detailed work that had to go into this bill. I am sure the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR] would agree that virtually every one of the sanctuaries has unique capabilities and unique qualities that require particular individual attention, and the National Marine Sanctuaries Preservation Act is a prime example of how you have to suit legislation to the particular, and that you cannot put together a bill where one size will literally fit all. It cannot happen in this particular kind of legislation. The only way it can succeed is if you have Members who are willing to do their homework and be able to understand the particular necessities associated with each of the sanctuaries.

Mr. Speaker, these provisions, the ones I mentioned with regard to Kaho'olawe, were brought to the attention of the Hawaii delegation by State officials as a result of meetings with the Sanctuary Advisory Council. This council was established to empower local communities to provide advice and recommendations to the sanctuary manager on the development and continued management of the site.

Currently, the Hawaiian Islands Humpback Whale Sanctuary Act requires the Secretary of Commerce to make an annual finding concerning the suitability for the inclusion of the sanctuary of waters within 3 nautical miles of Kaho'olawe Island. However, the language included in H.R. 3487 provides that the Kaho'olawe Island Reserve Commission may request the Secretary of Commerce to include the waters surrounding Kaho'olawe into the sanctuary.

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If a determination of inclusion is made, the Secretary will provide notice to the Governor of Hawaii and prepare a supplemental environmental impact statement and management plan and any necessary implementing regulations in accordance with the National Marine Sanctuaries Act, the Sanc-

tuary, and the National Environmental Policy Act.

The Kaho'olawe provision puts the management of Kaho'olawe and the waters surrounding the island into the hands of the Kaho'olawe Island Reserve Commission. Furthermore, it protects the rights of the State of Hawaii and the Secretary to terminate inclusion of Kaho'olawe Island waters if the supplemental management plan, any implementing regulation or any term of the plan or regulation is unacceptable.

In 1992, the initial boundaries of the Hawaiian Islands Sanctuary Act were designated. However, the waters around the island of Kaho'olawe, which were previously used by the Department of Defense as a weapons range, was purposely excluded.

In 1993, the Governor of Hawaii signed an act which established and created the aforementioned Kaho'olawe Island Reserve Commission to oversee the departments and agencies of the State with respect to the management of the island reserve. It was further stipulated that the reserve shall be used solely and exclusively and reserved in perpetuity for the preservation and practice of all rights customarily and traditionally exercised by native Hawaiians for cultural, spiritual, and subsistence purposes; for the preservation and protection of the reserve's archaeological, historical, and environmental resources, rehabilitation, revegetation, habitat restoration, and preservation; and for education.

In 1994, a memorandum of understanding between the U.S. Department of the Navy and the State of Hawaii conveyed the island of Kaho'olawe back to the State.

The Department of the Navy in conjunction with the Kaho'olawe Island Reserve Commission has issued an informational draft request for proposals for the clean-up of Kaho'olawe. Issuance of the final RFP will occur after completion of the use plan for the island and several Navy-State agreements required by the Kaho'olawe memorandum of understanding.

The second provision regards the prohibition of user fees in the sanctuary. This language was included as a result of concerns expressed by the State regarding the potential impacts of the sanctuary on local communities; this in the context that I previously outlined with respect to native Hawaiian customs, et cetera. Specifically, the language states that the Secretary of Commerce shall not institute any user fee under the National Marine Sanctuaries Act for any activity within the Hawaiian Islands National Marine Sanctuary or any use of the Sanctuary or its resources, again in the context previously enumerated.

Mr. Speaker, these two provisions will provide for the better management of the Hawaiian Islands Humpback Whale Marine Sanctuary. I most urgently ask all my colleagues to support H.R. 3487.

Mr. Speaker, may I again thank the gentleman from New Jersey [Mr.

SAXTON] and the gentleman from California [Mr. FARR] for their hard work on this bill.

Mr. FARR of California. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Massachusetts [Mr. STUDDS].

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

Mr. STUDDS. Mr. Speaker, I am more than a little embarrassed. No Member forewarned me of this.

I want to thank the gentleman from New Jersey with whom I have worked for more years than I can recall, the gentleman from California, and the gentleman from Hawaii for their extraordinarily kind words.

I must say I also sense the devious hand of the distant and mellow gentleman from Alaska in this. I suspect he is where he usually is, which is on his way.

We have worked together, DON YOUNG and I and the other Members here for the last few years, for a very long time. We worked in a committee for 22 years known as the Committee on Merchant Marine and Fisheries. I do not think in all those 22 years of the time that I served on that committee I ever heard a partisan observation except as sort of a lighthearted aside from one side or the other. I think we all understood no matter where we came from in the conventional political sense that what we were about was work that was far too important to be characterized by partisan exchanges and bitterness and that the things about which we were concerned transcended partisanship in every sense of the word, most particularly the sanctity of the marine environment.

The critters of the oceans and the sanctity of the ocean itself have nothing whatever to do and do not give much of a darn about whether we call ourselves Republicans, Democrats, independent or vegetarians. We all are dependent upon those waters, upon the air, and upon the Earth. I think it was that common understanding on that committee which brought together people as disparate, for example, as DON YOUNG and myself. I think, by any conventional political measurement, one would be hard pressed to find two Members as conventionally far apart politically ideologically in our conventional analyses of our voting records as DON YOUNG and myself, the plain-spoken riverboat captain from Fort Yukon and this kid from Cape Cod.

The fact of the matter is I think we astonished many people over the years by the closeness of our working, our personal relationship and our friendship, and it was I think because we both understood the Earth and the ocean because it was part intimately of our respective lives.

The same is true of the gentleman from New Jersey, the gentleman from California, and the gentleman from Hawaii who spoke embarrassing words. May I say that one would be hard

pressed to find something that would have meant more to me than Stellwagen Bank, which lies between Cape Cod and Cape Ann in Massachusetts. I remember the formal designation of the sanctuary 3 years ago standing beside Secretary of Commerce Ron Brown in Plymouth dedicating that sanctuary. I asked Secretary Brown whether he had ever actually met a whale and he confessed that he had not, it had not been really part of his portfolio before assuming the Commerce secretaryship. He promised me that he would go out on a whale watch and that I could introduce him personally to some of the humpbacks and white whales and other creatures of Stellwagen Bank.

One of his staff members took me aside a few moments later and said, "He didn't mean a word of that. He doesn't like boats." So now unfortunately Ron will never have a chance to meet those creatures.

I must say, however, that several times during the last 3 weeks I have flown at a very low altitude over Stellwagen Bank, have had a chance to speak personally with those whales, and can relay to the gentleman from New Jersey, the gentleman from California and the gentleman from Hawaii the thanks of an awful lot of very large marine mammals for the work that you and we collectively have done over a long time here.

The richness and diversity of the marine life in Stellwagen is a symbol, I think, of why it is that we all came together in this endeavor. While I regret deeply and I suspect many others do and I think it was an institutional error of some magnitude to do away with the Committee on Merchant Marine and Fisheries precisely because of some of the sentiment and understanding and sort of earthy or oceanic, if that is a word, wisdom that we have heard here and on many occasions in the past and they way in which it has brought together individuals in an institution in a spirit of cooperation and legislative working together which has been sadly lacking in recent time, I think folks will look back, I hope, and remember that it is possible to be as different as some of the individuals in the Committee on Merchant Marine and Fisheries were and are and yet to work together in a very collegial and very collaborative and very constructive way on things that truly matter as opposed to so much of what it is that we spend our time here and our lives in general being concerned about.

So on behalf of the criers aforementioned and particularly on behalf of a very embarrassed me, I would like to thank the gentleman from Alaska, the gentleman from New Jersey, and my friends from California and Hawaii for their very kind words.

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

I assure this gentleman from Massachusetts that his spirit and his concern

and passion for sound ocean management and sound ocean policy will continue in this House under the leadership of the gentleman from New Jersey [Mr. SAXTON], myself, and others who serve on that committee. I want to thank the chairman for his good work as well.

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

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

I would just like to once again express my appreciation for the many years of cooperation of GERRY STUDDS and hope that he will come back and visit us often and leave us with his words of wisdom from time to time.

One other thing that I would just like to say, Mr. Speaker, before yielding back the balance of my time. The gentleman from Washington [Mr. METCALF] played a particularly strong hand in one section of this bill which had to do with the establishment of a marine sanctuary in Puget Sound where we were able to again, on a bipartisan basis, agree on some very special provisions to protect the integrity of the local folks back in the 6 counties surrounding Puget Sound which guarantees that they will have a say in the establishment if and when that marine sanctuary is established. I thank everybody for their cooperation with regard to this measure, Mr. Speaker.

Mr. YOUNG of Alaska. Mr. Speaker, today we are considering H.R. 3487, the National Marine Sanctuaries Preservation Act. This bill was introduced by JIM SAXTON, chairman of the Subcommittee on Fisheries, Wildlife and Oceans.

H.R. 3487 reauthorizes the National Marine Sanctuaries Act and makes minor improvements to the National Marine Sanctuaries Program. The National Marine Sanctuaries Program oversees 14 National Marine Sanctuaries and is administered by the Office of Ocean and Coastal Resource Management in the National Oceanic and Atmospheric Administration.

H.R. 3487 will ensure ongoing protection and management for certain marine areas that are environmentally or historically significant.

This bill also renames the Stellwagen Bank National Marine Sanctuary as the Gerry E. Studts Stellwagen Bank National Marine Sanctuary. GERRY has long been a leading proponent in the House of the protection of the marine environment—most prominently when he served as chairman of the former Committee on Merchant Marine and Fisheries. Now that GERRY is leaving after 24 years of service, I believe this is a fitting tribute.

I would like to commend subcommittee chairman SAXTON for his leadership on the issue of marine sanctuaries, and I urge an "aye" vote on this measure.

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

The SPEAKER pro tempore (Mr. WICKER). The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 3487, 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.

#### WYOMING FISH AND WILDLIFE CONVEYANCE

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3579) to direct the Secretary of the Interior to convey certain property containing a fish and wildlife facility to the State of Wyoming, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3579

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONVEYANCE OF CERTAIN PROPERTY TO WYOMING.

(a) CONVEYANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall convey to the State of Wyoming without reimbursement, all right, title, and interest of the United States in and to the property described in subsection (b).

(b) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the property commonly known as "Ranch A" in Crook County, Wyoming, consisting of approximately 680 acres of land including all real property, buildings, and all other improvements to real property, and all personal property including art, historic light fixtures, wildlife mounts, draperies, rugs, and furniture directly related to the site, including personal property on loan to museums and other entities, at the time of transfer.

(c) USE AND REVERSIONARY INTEREST.—

(1) USE.—The property conveyed to the State of Wyoming under this section shall be retained in public ownership and be used by the State for the purposes of—

(A) fish and wildlife management and education; and

(B) using, maintaining, displaying, and restoring, through State or local agreements, or both, the museum quality real and personal property and the historical interests and significance of the real and personal property, consistent with applicable Federal and State laws.

(2) ACCESS BY INSTITUTIONS OF HIGHER EDUCATION.—The State of Wyoming shall provide access to the property for institutions of higher education at a compensation level that is agreed to by the State and the institution of higher education.

(3) REVERSION.—If the property described in subsection (b) is not used for a purpose consistent with paragraphs (1) and (2), all right, title, and interest in and to the property shall revert to the United States. The State of Wyoming shall ensure that all property that reverts to the United States under this subsection is in substantially the same or better condition as at the time of conveyance to the State.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from California [Mr. FARR] each will control 20 minutes.

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

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

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