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

The SPEAKER pro tempore (Mr. GOODLING). The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 960, 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.

CONVEYING CERTAIN LAND TO CITY OF GRANTS PASS, OR.

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1198), to direct the Secretary of the Interior to convey certain land to the city of Grants Pass, OR., as amended.

The Clerk read as follows:

H.R. 1198

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

SECTION. 1. CONVEYANCE OF BLM LAND TO GRANTS PASS, OREGON.

(a) CONVEYANCE REQUIRED.—The Secretary of the Interior shall promptly convey to the City of Grants Pass, Oregon (in this section referred to as the ''City''), without monetary compensation, all right, title, and interest of the United States in and to the real property described in subsection (b).

(b) PROPERTY DESCRIBED.—(1) IN GENERAL.—The real property referred to in subsection (a) is that parcel of land depicted on the map entitled ''Merlin Landfill Map'' and dated June 20, 1997, consisting of—

(A) approximately 200 acres of Bureau of Land Management Land on which the City has operated a landfill under lease; and

(B) approximately 120 acres of Bureau of Land Management Land that are adjacent to the land described in subparagraph (A).

(2) DETERMINATION BY SECRETARY.—The Secretary of the Interior may determine more particularly the real property described in paragraph (1).

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Secretary shall require the City to agree to indemnify the Government of the United States for all liability of the Government that arises from the property.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, H.R. 1198, as amended, is a bill introduced by my colleague, the gentleman from Oregon [Mr. SMITH]. Mr. SMITH has worked hard to develop a bill which successfully resolves an environmentally sensitive issue and will benefit the people of Oregon.

H.R. 1198 directs the Secretary of the Interior to convey certain Federal land currently used as a solid waste landfill facility from the Bureau of Land Management to the city of Grants Pass, OR. This bill transfers title and all right and interest of the real property to the city of Grants Pass, while indemnifying the Government of the United States for all liability that may arise from the property. A technical amendment provided the title and date of the map in the property description found in section 1(b)(1) of the bill.

This bill is noncontroversial and is supported by the administration and the city of Grants Pass, OR. I urge my colleagues to support H.R. 1198.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume. I too would like to commend the gentleman from Oregon [Mr. SMITH], who is also a member of our committee, for his sponsorship of this legislation.

Mr. Speaker, H.R. 1198 directs the Secretary of the Interior to convey to the city of Grants Pass, OR, without monetary consideration, approximately 200 acres of public land which the city has operated under lease and 120 acres of adjacent public land to be used as a buffer. In addition, the bill specifies that the city must agree to indemnify the United States from all liability that arises from the property.

In testimony before the Committee on Resources, the administration stated its support of the bill, and I know of no controversy associated with the legislation.

With that in mind, Mr. Speaker, I urge my colleagues to support this bill.

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

Mr. HANSEN. Mr. Speaker, I have no further speakers on this issue, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, before I yield the balance of my time, I would like to say that I would be remiss if I did not offer my commendations to the members of the staff on this side of the aisle for their tremendous work with the Members in getting this piece of legislation successfully passed here on the floor of the House: Mr. Rick Healy, Marie Howard Fabrizio, Jean Flemma, and Ann Owens.

Mr. SMITH of Oregon. Mr. Speaker, I rise today to urge swift passage for this legislation which would transfer the Merlin Landfill in my district to the city of Grants Pass, OR.

Grants Pass is a small city in southern Oregon and has leased approximately 200 acres of BLM land for the Merlin Landfill since 1968. This lease is due to expire on April 14, 2000, 2 or 3 years short of the landfill's operational lifespan. The BLM has stated that it will not renew this lease.

In 1990, low levels of organic chemicals were identified in groundwater beyond the site boundaries. This contamination was so minimal that if the water was used for public drinking, it would meet all Federal and State standards for safety. Nevertheless, the Superfund law requires that, as public land, the site be listed as a contaminated Federal facility and evaluated for ranking on the national priorities list for subsequent cleanup.

Although the BLM would be responsible for performing this cleanup, Superfund requires that the Bureau recover its costs. As with other Superfund liability disputes, the litigation expenses incurred by both the BLM and the city could quite possibly cost more than the cleanup itself. These circumstances led the BLM to attempt to cancel the Merlin Landfill's lease in 1991. Because a lease termination or a suspension in operation during the cleanup would pose an enormous financial burden on the citizens and businesses of Grants Pass, the city successfully worked with the BLM to address the environmental concerns. These efforts have cost the city several million dollars

In addition, the city has entered into a consent order with the Oregon Department of Environmental Quality obligating it to address the remaining concerns in preparation for the eventual closure of the landfill. However, despite its faithful cooperation in addressing these issues, if the landfill closes when the lease terminates in the year 2000, the city will not have adequate financial resources to fund the remaining compliance activities as well as the Closure and Post-Closure Trust Funds.

After exploring a number of nonlegislative options, the concerned parties came to a consensus agreement that the best and most cost-effective solution to the problem would be for the BLM to transfer the leased land and an additional parcel of 120 acres to the city. In turn, Grants Pass would accept all liability and responsibility for cleaning up the contaminated area.

Most important, however, is that such a transfer would allow operations to continue at the Merlin Landfill for another 2 or 3 years past the lease termination date. This would allow the city to raise enough money to meet its environmental obligations including the Closure and Post-Closure Trust Funds.

This is simple, cost-effective, good government, and it is recognized as such by all parties involved. The Oregon Department of Environmental Quality, Josephine County, the BLM, and the Governor's office have all voiced their support for this legislation. I, too, hope for a speedy passage so that the city of Grants Pass and the BLM have adequate time to prepare and complete this transfer.

Mr. FALEOMAVAEGA. 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 Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 1198, 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.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on S.J.Res. 29, H.R. 822, H.R. 951, H.R. 960, and H.R. 1198, the bills just considered.

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

There was no objection.

ATLANTIC STRIPED BASS CONSERVATION ACT AMENDMENTS OF 1997

Mr. PETERSON of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1658) to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws, as amended.

The Clerk read as follows:

H.R. 1658

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 ''Atlantic Striped Bass Conservation Act Amendments of 1997''.

SEC. 2. REAUTHORIZATION AND AMENDMENT OF ATLANTIC STRIPED BASS CONSERVATION ACT.

The Atlantic Striped Bass Conservation Act (16 U.S.C. 1851 note) is amended to read as follows:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Atlantic Striped Bass Conservation Act'.

''SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—The Congress finds and declares the following:

''(1) Atlantic striped bass are of historic commercial and recreational importance and economic benefit to the Atlantic coastal States and to the Nation.

''(2) No single government entity has full management authority throughout the range of the Atlantic striped bass.

''(3) The population of Atlantic striped bass—

''(A) has been subject to large fluctuations due to natural causes, fishing pressure, environmental pollution, loss and alteration of habitat, inadequacy of fisheries conservation and management practices, and other causes; and

''(B) risks potential depletion in the future without effective monitoring and conservation and management measures.

''(4) It is in the national interest to implement effective procedures and measures to provide for effective interjurisdictional conservation and management of this species.

''(b) PURPOSE.—It is therefore declared to be the purpose of the Congress in this Act to support and encourage the development, implementation, and enforcement of effective interstate action regarding the conservation and management of the Atlantic striped bass.

''SEC. 3. DEFINITIONS.

''As used in this Act—

''(1) the term 'Magnuson Act' means the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

''(2) The term 'Atlantic striped bass' means members of stocks or populations of the species Morone saxatilis, which ordinarily migrate seaward of the waters described in paragraph (3)(A)(i).

''(3) The term 'coastal waters' means—

''(A) for each coastal State referred to in paragraph (4)(A)—

''(i) all waters, whether salt or fresh, of the coastal State shoreward of the baseline from which the territorial sea of the United States is measured; and

''(ii) the waters of the coastal State seaward from the baseline referred to in clause (i) to the inner boundary of the exclusive economic zone;

''(B) for the District of Columbia, those waters within its jurisdiction; and

''(C) for the Potomac River Fisheries Commission, those waters of the Potomac River within the boundaries established by the Potomac River Compact of 1958.

''(4) The term 'coastal State' means—

''(A) Pennsylvania and each State of the United States bordering on the Atlantic Ocean north of the State of South Carolina;

''(B) the District of Columbia; and

''(C) the Potomac River Fisheries Commission established by the Potomac River Compact of 1958.

''(5) The term 'Commission' means the Atlantic States Marine Fisheries Commission established under the interstate compact consented to and approved by the Congress in Public Laws 77–539 and 81–721.

''(6) The term 'exclusive economic zone' has the meaning given such term in section 3(6) of the Magnuson Act (16 U.S.C. 1802(6)).

''(7) The term 'fishing' means—

''(A) the catching, taking, or harvesting of Atlantic striped bass, except when incidental to harvesting that occurs in the course of commercial or recreational fish catching activities directed at a species other than Atlantic striped bass;

''(B) the attempted catching, taking, or harvesting of Atlantic striped bass; and

''(C) any operation at sea in support of, or in preparation for, any activity described in subparagraph (A) or (B).

The term does not include any scientific research authorized by the Federal Government or by any State government.

''(8) The term 'moratorium area' means the coastal waters with respect to which a declaration under section 5(a) applies.

''(9) The term 'moratorium period' means the period beginning on the day on which moratorium is declared under section 5(a) regarding a coastal State and ending on the day on which the Commission notifies the Secretaries that that State has taken appropriate remedial action with respect to those matters that were the case of the moratorium being declared.

''(10) The term 'Plan' means a plan for managing Atlantic striped bass, or an amendment to such plan, that is prepared and adopted by the Commission.

''(11) The term 'Secretary' means the Secretary of Commerce or a designee of the Secretary of the Secretary of Commerce.

''(12) The term 'Secretaries' means the Secretary of Commerce and the Secretary of the Interior or their designees.

''SEC. 4. MONITORING OF IMPLEMENTATION AND ENFORCEMENT BY COASTAL STATES.

''(a) DETERMINATION.—During December of each fiscal year, and at any other time it deems necessary the Commission shall determine—

''(1) whether each coastal State has adopted all regulatory measures necessary to fully implement the Plan in its coastal waters; and

''(2) whether the enforcement of the Plan by each coastal State is satisfactory.

''(b) SATISFACTORY STATE ENFORCEMENT.—For purposes of subsection (a)(2), enforcement by a coastal State shall not be considered satisfactory by the Commission if, in its view, the enforcement is being carried out in such a manner that the implementation of the Plan within the coastal waters of the State is being, or will likely be, substantially and adversely affected.

''(c) NOTIFICATION OF SECRETARIES.—The Commission shall immediately notify the Secretaries of each negative determination made by it under subsection (a).

''SEC. 5. MORATORIUM.

''(a) SECRETARIAL ACTION AFTER NOTIFICATION.—Upon receiving notice from the Commission under section 4(c) of a negative determination regarding a coastal State, the Secretaries shall determine jointly, within thirty days, whether that coastal State is in compliance with the Plan and, if the State is not in compliance, the Secretaries shall declare jointly a moratorium on fishing for Atlantic striped bass within the coastal waters of that coastal State. In making such a determination, the Secretaries shall carefully consider and review the comments of the Commission and that coastal State in question.

''(b) PROHIBITED ACTS DURING MORATORIUM.—During a moratorium period, it is unlawful for any person—

''(1) to engage in fishing within the moratorium area;

''(2) to land, or attempt to land, Atlantic striped bass that are caught, taken, or harvested in violation of paragraph (1);

''(3) to land lawfully harvested Atlantic striped bass within the boundaries of a coastal State when a moratorium declared under subsection (a) applies to that State; or

''(4) to fail to return to the water Atlantic striped bass to which the moratorium applies that are caught incidental to harvesting that occurs in the course of commercial or recreational fish catching activities, regardless of the physical condition of the striped bass when caught.

''(c) CIVIL PENALTIES.—

''(1) CIVIL PENALTY.—Any person who commits any act that is unlawful under subsection (b) shall be liable to the United States for a civil penalty as provided by section 308 of the Magnuson Act (16 U.S.C. 1858).

''(2) CIVIL FORFEITURES.—

''(A) IN GENERAL.—Any vessel (including its gear, equipment, appurtenances, stores, and cargo) used, and any fish (or the fair market value thereof) taken or retained, in any manner, in connection with, or as the result of, the commission of any act that is unlawful under subsection (b) shall be subject to forfeiture to the United States as provided in section 310 of the Magnuson Act (16 U.S.C. 1860).

''(B) DISPOSAL OF FISH.—Any fish seized pursuant to this Act may be disposed of pursuant to the order of a court of competent jurisdiction, or, if perishable, in a manner prescribed in regulations.

''(d) ENFORCEMENT.—A person authorized by the Secretary or the Secretary of the department in which the Coast Guard is operating may take any action to enforce a moratorium declared under subsection (a) that an officer authorized by the Secretary under section 311(b) of the Magnuson Act (16 U.S.C. 1861(b)) may take to enforce that Act (16 U.S.C. 1801 et seq.). The Secretary may, by agreement, on a reimbursable basis or otherwise, utilize the personnel, services, equipment (including aircraft and vessels), and facilities of any other Federal department or agency and of any agency of a State in carrying out that enforcement.

''(e) REGULATIONS.—The Secretary may issue regulations to implement this section.

''SEC. 6. CONTINUING STUDIES OF STRIPED BASS POPULATIONS.

''(a) IN GENERAL.—For the purposes of carrying out this Act, the Secretaries shall conduct continuing, comprehensive studies of Atlantic striped bass stocks. These studies shall include, but shall not be limited to, the following:

''(1) Annual stock assessments, using fishery-dependent and fishery-independent data, for the purposes of extending the long-term population record generated by the annual striped bass study conducted by the Secretaries before 1994 and understanding the population dynamics of Atlantic striped bass.

''(2) Investigations of the causes of fluctuations in Atlantic striped bass populations.

''(3) Investigations of the effects of water quality, land use, and other environmental factors on the recruitment, spawning potential, mortality, and abundance of Atlantic striped bass populations, including the Delaware River population.

''(4) Investigations of—

''(A) the interactions between Atlantic striped bass and other fish, including bluefish, menhaden, mackerel, and other forage fish or possible competitors, stock assessments of these species, to the extent appropriate; and

''(B) the effects of interspecies predation and competition on the recruitment, spawning potential mortality, and abundance of Atlantic striped bass.

''(b) REPORTS.—The Secretaries shall make biennial reports to the Congress and to the Commission concerning the progress and findings of studies conducted under subsection (a) and