

Madam Speaker, I urge my colleagues to support S. 2345.

Madam Speaker, I yield such time as he may consume to the gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Madam Speaker, I thank the gentleman for yielding the time to me. This will be the shortest endorsement ever, but I would like to second the words of the gentleman from Utah (Mr. HANSEN). He has explained the importance of the Harriet Tubman legacy, and what this is is really a resources bill, a study bill.

This is an extraordinary woman who had a great record in saving many, many lives, and the whole thrust of this thing is to be able to study the various institutions and the buildings and the area not only in New York, but also in Maryland.

Madam Speaker, I would also like to thank Senator SCHUMER for his endorsement of this. I would like to thank Vince DeForest of the National Park Service and also Mike Long of the Auburn City Planning. They have done a wonderful job in trying to espouse this whole project.

As the gentleman from Utah (Mr. HANSEN) has said, Ms. Tubman was an extraordinary historic figure. She served as a nurse and a guide and did all sorts of things for saving the lives of people and also educating them later on, so we have this opportunity to preserve such a tremendous legacy. I would like to ask the House to join in voting for this bill.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would like to join my colleagues in support of this legislation, and thank them for bringing it to the floor, the gentleman from New York (Mr. HOUGHTON) for his support and Senator SCHUMER for drafting this legislation. I urge Members to support the bill.

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

Mr. HANSEN. Madam 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 Senate bill, S. 2345.

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.

#### NATIONAL MARINE SANCTUARIES AMENDMENTS ACT OF 1999

Mr. HANSEN. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1482) to amend the National Marine Sanctuaries Act, and for other purposes.

The Clerk read as follows:

S. 1482

*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 Amendments Act of 1999".

#### 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 or repeal to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

#### SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICIES.

(a) AMENDMENT OF FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) by striking "research, educational, or aesthetic" in paragraph (2) and inserting "scientific, educational, cultural, archaeological, or aesthetic";

(2) by inserting "ecosystem" after "comprehensive" in paragraph (3);

(3) by striking "wise use" in paragraph (5) and inserting "sustainable use";

(4) by striking "and" after the semicolon in paragraph (5);

(5) by striking "protection of these" in paragraph (6) and inserting "protecting the biodiversity, habitats, and qualities of such"; and

(6) by inserting "and the values and ecological services they provide" in paragraph (6) after "living resources".

(b) AMENDMENT OF PURPOSES AND POLICIES.—Section 301(b) (16 U.S.C. 1431(b)) is amended—

(1) by striking "significance;" in paragraph (1) and inserting "significance and to manage these areas as the National Marine Sanctuary System;";

(2) by striking paragraph (3) and inserting the following:

"(3) to maintain natural biodiversity and biological communities, and to protect, and where appropriate, restore, and enhance natural habitats, populations, and ecological processes;";

(3) by striking "understanding, appreciation, and wise use of the marine environment;" in paragraph (4) and inserting "understanding, and appreciation of the natural, historical, cultural, and archaeological resources of national marine sanctuaries;";

(4) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), and inserting after paragraph (4) the following:

"(5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;";

(5) by striking "areas;" in paragraph (8), as redesignated, and inserting "areas, including the application of innovative management techniques; and";

(6) by striking "marine resources; and" in paragraph (9), as redesignated, and inserting "marine and coastal resources;"; and

(7) by striking paragraph (10), as redesignated.

#### SEC. 4. CHANGES IN DEFINITIONS.

Section 302 (16 U.S.C. 1432) is amended—

(1) by striking "304(a)(1)(C)(v)" in paragraph (1) and inserting "304(a)(2)(A)";

(2) by striking "Magnuson" in paragraph (2) and inserting "Magnuson-Stevens";

(3) by striking "and" after the semicolon in subparagraph (B) of paragraph (6);

(4) by striking "resources;" in subparagraph (C) of paragraph (6) and inserting "resources; and";

(5) by inserting after paragraph (6)(C) the following:

"(D) the cost of curation and conservation of archaeological, historical, and cultural sanctuary resources;";

(6) by striking "injury;" in paragraph (7) and inserting "injury, including enforcement activities related to any incident;";

(7) by striking "educational, or" in paragraph (8) and inserting "educational, cultural, archaeological,;";

(8) by striking "and" after the semicolon in paragraph (8);

(9) by striking "Magnuson Fishery Conservation and Management Act." in paragraph (9) and inserting "Magnuson-Stevens Act;"; and

(10) by adding at the end thereof the following:

"(10) 'system' means the National Marine Sanctuary System established by section 303; and

"(11) 'person' has the meaning given that term by section 1 of title 1, United States Code, but includes a department, agency, and instrumentality of the government of the United States, a State, or a foreign Nation.".

#### SEC. 5. CHANGES IN SANCTUARY DESIGNATION STANDARDS.

Section 303 (16 U.S.C. 1433) is amended—

(1) by striking the section caption and inserting the following:

#### "SEC. 303. NATIONAL MARINE SANCTUARY SYSTEM";

(2) by striking subsection (a) and inserting the following:

"(a) ESTABLISHMENT OF SYSTEM.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title.";

(3) by striking paragraph (3) of subsection (b), and redesignating paragraphs (1) and (2) as paragraphs (2) and (3);

(4) by striking so much of subsection (b) as precedes paragraph (2), as redesignated, and inserting the following:

"(b) SANCTUARY DESIGNATION STANDARDS.—

"(1) IN GENERAL.—Before designating an area of the marine environment as a national marine sanctuary, the Secretary shall find that—

"(A) the area is of special national significance due to its—

"(i) biodiversity;

"(ii) ecological importance;

"(iii) archaeological, cultural, or historical importance; or

"(iv) human-use values;

"(B) existing State and Federal authorities should be supplemented to ensure coordinated and comprehensive conservation and management of the area, including resource protection, scientific research, and public education;

"(C) designation of the area as a national marine sanctuary will facilitate the objectives in subparagraph (B); and

"(D) the area is of a size and nature that will permit comprehensive and coordinated conservation and management.";

(5) by striking "subsection (a)" in paragraph (2), as redesignated, and inserting "paragraph (1)";

(6) by redesignating subparagraphs (E) through (I) of paragraph (2), as redesignated, as paragraphs (F) through (J), and inserting after paragraph (D) the following:

"(E) the areas's scientific value and value for monitoring as a special area of the marine environment;";

(7) by redesignating subparagraphs (H), (I), and (J), as redesignated, as subparagraphs (I), (J), and (K) and by inserting after subparagraph (G), as redesignated, the following:

"(H) the feasibility, where appropriate, of employing innovative management approaches to protect sanctuary resources or to manage compatible uses;";

(8) by striking "vital habitats, and resources which generate tourism;" in subparagraph (I), as redesignated, and inserting "and vital habitats;"

(9) by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L), and inserting after subparagraph (I) the following:

"(J) the value of the area as an addition to the System;" and

(10) by striking "Merchant Marine and Fisheries" in subparagraph (A) of paragraph (3), as redesignated, and inserting "Resources";

(11) by inserting after "Administrator" in subparagraph (B) of paragraph (3), as redesignated the following: "of the Environmental Protection Agency,"; and

(12) by adding at the end of subsection (b) the following:

"(4) REQUIRED FINDINGS.—

"(A) NEW DESIGNATIONS.—Before beginning the designation process for any sanctuary that is not a designated sanctuary before January 1, 2000, the Secretary shall make, and submit to the Congress, a finding that each designated sanctuary has—

"(i) an operational level of facilities, equipment, and employees;

"(ii) a list of priorities it considers most urgent and a strategy to address those priorities;

"(iii) a plan and schedule to complete site characterization studies to inventory existing sanctuary resources, including cultural resources; and

"(iv) a plan for enforcement of the Act within its boundaries, including partnerships with adjacent States or other authorities.

"(B) EXCEPTION.—Subparagraph (A) does not apply to any draft management plan, draft environmental impact statement, or proposed regulation for a Thunder Bay National Marine Sanctuary."

#### SEC. 6. CHANGES IN PROCEDURES FOR DESIGNATION AND IMPLEMENTATION.

(a) CHANGES IN NOTICE REQUIREMENTS.—Section 304(a) (16 U.S.C. 1434(a)) is amended—

(1) by striking paragraph (1)(C) and inserting the following:

"(C) on the same day the notice required by subparagraph (A) is submitted to the Office of the Federal Register, the Secretary shall submit a copy of the notice and the draft sanctuary designation documents prepared under paragraph (2) to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate."

(2) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), and inserting the following after paragraph (1):

"(2) SANCTUARY DESIGNATION DOCUMENTS.—The Secretary shall prepare sanctuary designation documents on the proposal that include the following:

"(A) A draft environmental impact statement under paragraph (3).

"(B) A management plan document, which the Secretary shall make available to the public, containing—

"(i) the terms of the proposed designation;

"(ii) proposed mechanisms to coordinate existing regulatory and management authorities within the area;

"(iii) the proposed goals and objectives, management responsibilities, resource studies, and appropriate strategies for managing sanctuary resources, including innovative approaches such as marine zoning, interpretation and education, research, monitoring and assessment, resource protection, restoration, and enforcement (including surveillance activities for the area);

"(iv) an evaluation of the advantages of cooperative State and Federal management if all or part of a proposed marine sanctuary is within the territorial limits of a State, or is superjacent to the subsoil and seabed within

the seaward boundary of a State (as established under the Submerged Lands Act (43 U.S.C. 1301 et seq.);

"(v) an estimate of the annual cost to the Federal government of the proposed designation, including costs of personnel, equipment and facilities, enforcement, research, and public education; and

"(vi) the regulations proposed under paragraph (1)(A).

"(C) Maps depicting the boundaries of the proposed sanctuary.

"(D) A statement of the basis for the findings made under section 303(b)(2).

"(E) An assessment of the considerations under section 303(b)(1).

"(F) A resource assessment that includes—

"(i) present and potential uses of the area, including commercial and recreational fishing, research and education, minerals and energy development, subsistence uses, and other commercial, governmental, or recreational uses;

"(ii) a discussion, prepared after consultation with the Secretary of the Interior, of any commercial, governmental, or recreational resource uses in the areas that are subject to the primary jurisdiction of the Department of the Interior; and

"(iii) information prepared in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator of the Environmental Protection Agency, on any past, present, or proposed future disposal or discharge of materials in the vicinity of the proposed sanctuary."

(b) OTHER NOTICE-RELATED CHANGES.—Section 304(a) (16 U.S.C. 1434(a)) is further amended—

(1) by striking "as provided by" in subparagraph (A) of paragraph (3), as redesignated, and inserting "under";

(2) by inserting "cultural, archaeological," after "educational," in paragraph (4), as redesignated;

(3) by striking "only by the same procedures by which the original designation is made," in paragraph (4), as redesignated, and inserting "by following the applicable procedures of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and chapter 5 of title 5, United States Code."

(4) by inserting "this Act and" after "objectives of" in the second sentence of paragraph (6), as redesignated; and

(5) by striking "Merchant Marine and Fisheries Resources" in paragraph (7), as redesignated, and inserting "Resources".

(c) OTHER CHANGES.—Section 304 (16 U.S.C. 1434) is amended—

(1) by inserting "or the national system" in subsection (b)(2) after "sanctuary";

(2) by striking "management techniques," in subsection (e) and inserting "management techniques and strategies,"; and

(3) by striking "title," in subsection (e) and inserting "title. This review shall include a prioritization of management objectives."

#### SEC. 7. CHANGES IN ACTIVITIES PROHIBITED.

Section 306 (16 U.S.C. 1436) is amended—

(1) by striking "sell," in paragraph (2) and inserting "offer for sale, sell, purchase, import, export,"; and

(2) by striking paragraph (3) and inserting the following:

"(3) interfere with the enforcement of this title by—

"(A) refusing to permit any authorized officer to board a vessel, other than a vessel operated by the Department of Defense or United States Coast Guard, subject to such person's control for the purpose of conducting a search or inspection in connection with the enforcement of this title;

"(B) assaulting, resisting, opposing, impeding, intimidating, or interfering with any au-

thorized officer in the conduct of any search or inspection under this title;

"(C) submitting false information to the Secretary or any officer authorized by the Secretary in connection with any search or inspection under this title; or

"(D) assaulting, resisting, opposing, impeding, intimidating, harassing, bribing, or interfering with any person authorized by the Secretary to implement the provisions of this title; or".

#### SEC. 8. CHANGES IN ENFORCEMENT PROVISIONS.

Section 307 (16 U.S.C. 1437) is amended—

(1) by redesignating paragraphs (1) through (5) of subsection (b) as paragraphs (2) through (6), and inserting before paragraph (2) the following:

"(1) arrest any person, if there is reasonable cause to believe that the person has committed an act prohibited by section 306(3);";

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), and inserting after subsection (b) the following:

"(c) CRIMINAL OFFENSES.—

"(1) IN GENERAL.—Violation of section 306(3) is punishable by a fine under title 18, United States Code, imprisonment for not more than 6 months, or both.

"(2) AGGRAVATED VIOLATIONS.—If a person in the course of violating section 306(3)—

"(A) uses a dangerous weapon,

"(B) causes bodily injury to any person authorized to enforce this title or to implement its provisions, or

"(C) causes such a person to fear imminent bodily injury,

then the violation is punishable by a fine under title 18, United States Code, imprisonment for not more than 10 years, or both.";

(3) by redesignating subsections (e) through (k), as redesignated, as subsections (f) through (l), respectively, and by inserting after subsection (d), as redesignated, the following:

"(e) JUDICIAL CIVIL PENALTIES.—The Secretary may bring an action to access and collect any civil penalty for which a person is liable under paragraph (d)(1) in the United States district court for the district in which the person from whom the penalty is sought resides, in which such person's principal place of business is located, or where the incident giving rise to civil penalties under this section occurred."

(4) by inserting "electronic files," after "books," in subsection (h), as redesignated; and

(5) by redesignating subsections (i) through (l), as designated, as subsections (j) through (m), and by inserting after subsection (h), as redesignated, the following:

"(i) NATIONWIDE SERVICE OF PROCESS.—In any action by the United States under this chapter, process may be served in any district where the defendant is found, resides, transacts business, or has appointed an agent for the service of process."

#### SEC. 9. ADDITIONAL REGULATIONS AUTHORITY ADDED.

Section 308 (16 U.S.C. 1439) is amended to read as follows:

#### "SEC. 308. REGULATIONS AND SEVERABILITY.

"(a) REGULATIONS.—The Secretary may issue such regulations as may be necessary to carry out this title.

"(b) SEVERABILITY.—If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of this title and of the application of that provision to other persons and circumstances shall not be affected."

#### SEC. 10. CHANGES IN RESEARCH, MONITORING, AND EDUCATION PROVISIONS.

Section 309 (16 U.S.C. 1440) is amended to read as follows:

**“SEC. 309. RESEARCH, MONITORING, AND EDUCATION PROGRAMS AND INTERPRETIVE FACILITIES.**

“(a) IN GENERAL.—The Secretary shall conduct, support, or coordinate research, monitoring, evaluation, and education programs necessary and reasonable to carry out the purposes and policies of this title.

“(b) RESEARCH AND MONITORING.—The Secretary may support, promote, and coordinate appropriate research on, and long-term monitoring of, the resources and human uses of marine sanctuaries, as is consistent with the purposes and policies of this title. In carrying out this subsection the Secretary may consult with Federal agencies, States, local governments, regional agencies, interstate agencies, or other persons, and coordinate with the National Estuarine Research Reserve System.

“(c) EDUCATION AND INTERPRETIVE FACILITIES.—The Secretary may establish facilities or displays—

“(1) to promote national marine sanctuaries and the purposes and policies of this title; and

“(2) either solely or in partnership with other persons, under an agreement under section 311.”.

**SEC. 11. CHANGES IN SPECIAL USE PERMIT PROVISIONS.**

Section 310 (16 U.S.C. 1441) is amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), and by inserting after subsection (a) the following:

“(b) PUBLIC NOTICE REQUIRED.—The Secretary shall provide appropriate public notice before identifying any activity subject to a special use permit under subsection (a).”;

(2) by striking “insurance” in paragraph (4) of subsection (c), as redesignated, and inserting “insurance, or post an equivalent bond,”;

(3) by striking “resource and a reasonable return to the United States Government.” in paragraph (2)(C) of subsection (d), as redesignated, and inserting “resource.”;

(4) by redesignating paragraph (3) of subsection (d), as redesignated, as paragraph (4), and by inserting after paragraph (2) thereof the following:

“(3) WAIVER OR REDUCTION OF FEES.—The Secretary may waive or reduce fees under this subsection, or accept in-kind contributions in lieu of fees under this subsection, for activities that do not derive profit from the access to and use of sanctuary resources or that the Secretary considers to be beneficial to the system.”; and

(5) by striking “designating and” in paragraph (4)(B) of subsection (d), as redesignated.

**SEC. 12. CHANGES IN COOPERATIVE AGREEMENTS PROVISIONS.**

Section 311 (16 U.S.C. 1442) is amended—

(1) by adding at the end of subsection (a) the following: “Notwithstanding any other provision of law to the contrary, the Secretary may apply for, accept, and use grants from Federal agencies, States, local governments, regional agencies, interstate agencies, foundations, or other persons, to carry out the purposes and policies of this title.”; and

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), and inserting after subsection (a) the following:

“(b) USE OF STATE AND FEDERAL AGENCY RESOURCES.—The Secretary may, whenever appropriate, use by agreement the personnel, services, or facilities of departments, agencies, and instrumentalities of the government of the United States or of any State or political subdivision thereof on a reimbursable or non-reimbursable basis to assist in carrying out the purposes and policies of this title.”.

**SEC. 13. CHANGES IN PROVISIONS CONCERNING DESTRUCTION, LOSS, OR INJURY.**

(a) LIABILITY.—Section 312 (16 U.S.C. 1443(a)) is amended—

(1) by striking “used to destroy, cause the loss of, or injure” in subsection (a)(2) and inserting “that destroys, causes the loss of, or injures”;

(2) by inserting “or vessel” after “person” in subsection (a)(4);

(3) by inserting “(as defined in section 302(11))” after “damages” in subsection (b)(2);

(4) by striking “vessel who” in subsection (c) and inserting “vessel that”;

(5) by striking “person may” in subsection (c) and inserting “person or vessel may”;

(6) by inserting “by the Secretary” after “used” in subsection (d); and

(7) by adding at the end of subsection (d) the following:

“(4) STATUTE OF LIMITATIONS.—An action for response costs and damages under subsection (c) may not be brought more than 2 years after the date of completion of the relevant damage assessment and restoration plan prepared by the Secretary.”.

**SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

Section 313 (16 U.S.C. 1444) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

“(1) \$30,000,000 for fiscal year 2000;

“(2) \$32,000,000 for fiscal year 2001;

“(3) \$34,000,000 for fiscal year 2002;

“(4) \$36,000,000 for fiscal year 2003; and

“(5) \$38,000,000 for fiscal year 2004.”.

**SEC. 15. CHANGES IN U.S.S. MONITOR PROVISIONS.**

Section 314 (16 U.S.C. 1445) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

**SEC. 16. CHANGES IN ADVISORY COUNCIL PROVISIONS.**

Section 315 (16 U.S.C. 1446) is amended by striking “provide assistance” in subsection (a) and inserting “advise and make recommendations”.

**SEC. 17. CHANGES IN THE SUPPORT ENHANCEMENT PROVISIONS.**

Section 316 (16 U.S.C. 1447) is amended—

(1) by striking “use” in subsection (a)(4) and inserting “manufacture, reproduction, or other use”;

(2) by striking “sanctuaries;” in subsection (a)(4) and inserting “sanctuaries or by persons that enter cooperative agreements with the Secretary under subsection (f);”;

(3) by striking “symbols” in subsection (a)(6) and inserting “symbols, including sale of items bearing the symbols,”;

(4) striking “Secretary; and” in paragraph (3) of subsection (f), as redesignated, and inserting “Secretary, or without prior authorization under subsection (a)(4); or”;

(5) by adding at the end thereof the following:

“(f) AUTHORIZATION FOR NON-PROFIT ORGANIZATION TO SOLICIT SPONSORS.—

“(1) IN GENERAL.—The Secretary may enter into an agreement with a non-profit organization authorizing it to assist in the administration of the sponsorship program established under this section. Under an agreement entered into under this paragraph, the Secretary may authorize the non-profit organization to solicit persons to be official sponsors of the national marine sanctuary program or of individual national marine sanctuaries, upon such terms as the Secretary deems reasonable and will contribute to the successful administration of the sanctuary system. The Secretary may also authorize the non-profit organization to collect the statutory contribution from the sponsor, and, subject to paragraph (2), transfer the contribution to the Secretary.

“(2) REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—Under the agreement entered into

under paragraph (1), the Secretary may authorize the non-profit organization to retain not more than 5 percent of the amount of monetary contributions it receives from official sponsors under the agreement to offset the administrative costs of the organization in soliciting sponsors.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Madam Speaker, I rise in strong support of S. 1482, which includes a 5-year authorization of the National Marine Sanctuaries Program. The bill designates the existing sanctuaries as the National Marine Sanctuaries System in order to promote programwide constituency and coordination.

In addition, this legislation assures that the value and protection of cultural, historical, and archaeological resources are adequately considered in the designation and management of the National Marine Sanctuaries; clarifies the requirements for sanctuary designation and the authority of the Secretary to carry out monitoring, education and research activities; and allows the President to manage a reserve in the Northwest Hawaiian Islands in a manner that conforms with the management of a national marine sanctuary.

S. 1482 also establishes a program in honor of Dr. Nancy Foster. Dr. Foster was a 23-year NOAA employee and former director of the Sanctuary Program who recently passed away.

This program encourages better understanding of the marine environment. This bill provides ongoing authority for a very successful program that has consistently improved the conservation and management of our marine national resources, which are our Nation's underwater parks.

Madam Speaker, I urge an aye vote on this measure.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of this legislation. The gentleman from Utah (Mr. HANSEN) has quite properly explained the legislation, and I am pleased that the legislation will finally establish a National Marine Sanctuary System to elevate the stature and importance of the Sanctuary Program both inside and outside of NOAA.

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

Mr. HANSEN. Madam 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 Senate bill, S. 1482.

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.

#### PYRAMID OF REMEMBRANCE FOUNDATION

Mr. HANSEN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1804) to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

The Clerk read as follows:

H.R. 1804

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

#### SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL.

(a) IN GENERAL.—The Pyramid of Remembrance Foundation is authorized to establish a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces of the United States who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The Pyramid of Remembrance Foundation shall establish the memorial authorized by this Act in accordance with the Commemorative Works Act (40 U.S.C. 1001, et seq.), except that section 3(c) of that Act shall not apply.

#### SEC. 2. FUNDS FOR MEMORIAL.

(a) USE OF FEDERAL FUNDS PROHIBITED.—Except as provided by the Commemorative Works Act, no Federal funds may be used to pay any expense of the establishment of the memorial.

(b) DEPOSIT OF EXCESS FUNDS.—If—

(1) upon payment of all expenses of the establishment of the memorial, including payment to the Treasury of the maintenance and preservation amount required by section 8(b) of the Commemorative Works Act; or

(2) upon expiration of the authority for the memorial under section 10(b) of the Commemorative Works Act,

there remains a balance of funds received for the establishment of the memorial, the Pyramid of Remembrance Foundation shall transmit that balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of the Commemorative Works Act.

#### SEC. 3. DEFINITION.

For the purposes of this Act, the term “the District of Columbia and its environs” has the meaning given that term in section 2 of the Commemorative Works Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Madam Speaker, this bill authorizes the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to sol-

diers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorists attacks or covert operations.

The memorial would generally conform to the Commemorative Works Act.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we support this legislation, and the gentleman from Utah (Mr. HANSEN) has explained it well, and I would urge Members to support the bill.

Madam Speaker, H.R. 1804 would authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

H.R. 1804 is being brought to the House under unusual circumstances, by way of discharge of the Resources Committee. We have had no hearings or mark-up of the legislation in the Committee, despite the fact that this bill has been pending before the Committee since May 1999. H.R. 1804 differs markedly from the bill (H.R. 1608) that was before the Committee in the 105th Congress. We have not heard testimony from the Foundation nor do we know the views of the Administration on this legislation. In fact, it has come to our attention that the Foundation may not be a functioning entity.

Madam Speaker, while H.R. 1804 may well be a noncontroversial measure the procedure being used to consider this bill has left us with very little information on this measure.

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

Mr. HANSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATOURETTE), the author of this legislation.

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

Mr. LATOURETTE. Madam Speaker, I rise today in support of H.R. 1804.

Madam Speaker, I first want to thank the gentleman from Alaska (Mr. YOUNG), chairman of the full committee, and the gentleman from Utah (Mr. HANSEN), the subcommittee chairman, and the leadership for permitting this bill to go forward, and also the gentleman from California (Mr. GEORGE MILLER), the ranking member.

Madam Speaker, when I first came to Congress in 1995, a group of students from Riverside High School in Painesville, Ohio, asked to meet with me and presented an idea for military memorial in our Nation's Capitol to honor the men and women of our Armed Forces who have died in training exercises, peacekeeping missions, humanitarian efforts and terrorists attacks.

The students vowed to honor this sacrifice with a memorial called the Pyramid of Remembrance.

Madam Speaker, while I was immediately convinced of the worthiness of

this proposal, in all honesty, I feared that these students had stumbled on to a great idea that was already taken. Surely, I thought there must be a memorial someplace in Washington to honor those who die in peacekeeping accidents, training exercises, humanitarian efforts, and terrorists attacks, but I was wrong.

There is no such memorial. None exists, but one should. Today, the House of Representatives has an opportunity to make this worthy military memorial one step closer to reality.

Madam Speaker, H.R. 1804 will authorize the foundation to create the Pyramid of Remembrance. The memorial will be built on Department of Defense land here in the Washington area, and without the use of taxpayers' funds. It is important to note, Madam Speaker, that no one has suggested that the memorial be placed on the Mall; that is not under consideration. Instead, the Pyramid of Remembrance will be erected on DOD land. When we appeared before the National Monument Commission, Fort McNair was one of the selections suggested, but site selection is many steps down the road.

Madam Speaker, the Pyramid of Remembrance has broad bipartisan support here in the House with nearly 100 cosponsors. It has already attracted some high-level endorsements from the likes of Secretary of Defense William Cohen and General Hugh Shelton.

Madam Speaker, our Nation has been reeling since the terrorist attack and bombing of the U.S.S. *Cole* just 12 days ago. Madam Speaker, 17 sailors were killed when a bomb ripped a 40-by-40 foot hole in the hull of this great destroyer as it was refueling in the Yemeni port of Aden.

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Nearly 40 other sailors were injured, including a young man from Lorain County in the State of Ohio.

Today, there is no memorial in Washington to specifically honor these men and women of courage, largely because their heroism and sacrifice occurred in a time other than a declared conflict. Their sacrifice does not fall into one tidy category, but it is just as worthy as those who died fighting in our greatest wars. What is more, the sacrifice of the men and women of the U.S.S. *Cole* surely reflects the changing role of our Armed Forces as we enter this new century and a host of new challenges, including terrorism directed specifically at the United States of America.

Madam Speaker, the idea for the Pyramid of Remembrance originated in a classroom in Painesville, Ohio, and it was sparked by a group of Generation X's who were horrified by the sight of a U.S. soldier being dragged through the streets of Mogadishu, Somalia. When we appeared before the National Capital Memorial Commission, they heard our proposal and our plea, and they have made it clear in writing that they believe it will fill a void in our Nation's military memorial.