

pass a permanent extension bill today. But this temporary bill is the best we can get in this Congress, so I urge everyone to approve it.

This legislation will also extend, finally, a number of temporary bankruptcy judgeships and provide for additional bankruptcy judgeships in areas where increasing workloads necessitate them. This judgeship legislation has always been noncontroversial in this House. It was passed by the House in the form of a bill sponsored by the gentleman from Illinois (Mr. HYDE), the gentleman from Pennsylvania (Mr. GEKAS), the gentleman from Michigan (Mr. CONYERS), and myself 4 years ago.

There has been no disagreement that these additional judgeships are absolutely necessary. In fact, the gentleman from Georgia (Mr. KINGSTON), who has introduced his own bill on this subject, has joined me and the gentleman from Michigan (Mr. DINGELL) as cosponsors of this legislation. As with chapter 12, there is no policy argument against providing the necessary judicial resources to process cases fairly and in a timely manner. Delay costs everyone, debtors and creditors alike. We owe it to families and businesses in our communities to ensure that our courts can function fairly and normally. No additions to the bankruptcy bench have been made since 1992 despite the many speeches delivered on this floor concerning the large rise in bankruptcy filings. These additions to the bench are long overdue and should be approved.

Mr. Speaker, if we do not pass this bill, cases will be delayed in overcrowded courts and families will lose their farms. We should do the people's business and pass this bipartisan, noncontroversial bill today.

□ 2230

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

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume, only for the purpose of also extending my gratitude to the gentleman from South Carolina (Mr. GRAHAM), to the gentleman from Georgia (Mr. KINGSTON), to the gentleman from Delaware (Mr. CASTLE), for continuously contributing to the final outcome in the passage of this bill.

Mr. CONYERS. Mr. Speaker, I rise in support of this legislation before us today. This bill extends the period in which family farmers may recognize their debts for ten additional months. H.R. 5540 will meet the needs of financially distressed family farmers by giving them a chance to keep their farms. In addition, this legislation will provide much needed bankruptcy judgeships several states including Alabama, California, Delaware, Georgia, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, and Virginia.

While I do support this legislation, I would be remiss if I did not raise the issue that this

legislation continuously has been extended because we have not yet brought forth acceptable bankruptcy reform legislation. Although we all agree that H.R. 5540 is necessary to aid our nation's farmers who are facing financial distress, we are constantly faced with the task of renewing this legislation instead of making it permanent. And it is well noted that the bankruptcy court system is overwrought with a backlog of cases and too few judges to handle the caseload. Despite the need to pass a bill that addresses important issues such as the needs of our farmers and our children as well as our nation's citizens and our bankruptcy courts, the leadership established a stealth process allowing wealthy creditors to severely undermine the goal of protecting the ability of small businesses to get a fresh start. The process questioned the integrity of the legislative process of the House. While conferees were appointed, no conference took place. Instead, a bankruptcy bill conference report was negotiated by a small group of staff working for a handful of Members in a closed door process, although the rules dictate that conference meetings must be held in public. The most contentious issues were considered by the Republican leadership, excluding Democrats. This legislation was attached to an unrelated conference report and passed with minimal public scrutiny. Thankfully, the President has threatened a veto of this unjust legislation.

With H.R. 5540, we can ensure that for at least the next ten months, the family farmers are given the ability to engage in reorganization efforts. We also will make strides towards curing our nation's bankruptcy court system of serious backlog. I urge a "yes" vote.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 5540, which extends Chapter 12 of the Bankruptcy Code to June 1, 2001. Chapter 12 bankruptcy, which allows family farmers to reorganize their debts as compared to liquidating their assets, was scheduled to expire last year, but it has been extended through enactment of separate legislation.

This Member would thank the distinguished gentleman from Michigan (Mr. NICK SMITH) for introducing H.R. 5540. In addition, this Member would like to express his appreciation to the distinguished chairman of the Judiciary Committee from Illinois (Mr. HENRY HYDE), and the distinguished ranking minority member of the Judiciary Committee from Michigan (Mr. JOHN CONYERS, Jr.) for their efforts in expediting this measure to the House floor today.

Chapter 12 bankruptcy has been a viable option for family farmers nationwide. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer. If Chapter 12 bankruptcy provisions are not extended for family farmers, this will have a drastic impact on an agricultural sector already reeling from low commodity prices. Not only will many family farmers have to end their operations, but also land values will likely plunge downward. Such a decrease in land values will affect both the ability of family farmers to earn a living and the manner in which banks, making agricultural loans, conduct their lending activities. This Member has received many contacts from his constituents regarding the extension of Chapter 12 bank-

ruptcy because of the serious situation now being faced by our nation's farm families—although the U.S. economy is generally healthy, it is clear that agricultural sector is hurting.

The gravity of this situation for family farmers nationwide makes it imperative that Chapter 12 bankruptcy is extended. Moreover, it is this Member's hope that Chapter 12 bankruptcy is extended permanently as provided in the conference report of the Bankruptcy Reform Act of 1999, which passed the House by a vote of 237-174, with this Member's support, on October 26, 2000. Unfortunately, the Senate has yet to pass this conference report. Furthermore, this Member is an original cosponsor of the Bankruptcy Reform Act, that was introduced by the distinguished chairman of the Judiciary Subcommittee on Commercial and Administrative Law from Pennsylvania (Mr. GEORGE GEKAS).

In closing, this Member would encourage his colleagues support for H.R. 5540, which extends Chapter 12 bankruptcy until June 1, 2001.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 5540, 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.

The title of the bill was amended so as to read:

"A bill to extend for 11 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to provide for additional temporary bankruptcy judges; and for other purposes."

A motion to reconsider was laid on the table.

**STRIPED BASS CONSERVATION, ATLANTIC COASTAL FISHERIES MANAGEMENT, AND MARINE MAMMAL RESCUE ASSISTANCE ACT OF 2000**

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2903) to assist in the conservation of coral reefs, as amended.

The Clerk read as follows:

H.R. 2903

*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 "Striped Bass Conservation, Atlantic Coastal Fisheries Management, and Marine Mammal Rescue Assistance Act of 2000".

**TITLE I—ATLANTIC COASTAL FISHERIES**

**Subtitle A—Atlantic Striped Bass Conservation**

**SEC. 101. REAUTHORIZATION OF ATLANTIC STRIPED BASS CONSERVATION ACT.**

Section 7(a) of the Atlantic Striped Bass Conservation Act (16 U.S.C. 1851 note) is amended to read as follows:

"(a) AUTHORIZATION.—For each of fiscal years 2001, 2002, and 2003, there are authorized to be appropriated to carry out this Act—

“(1) \$1,000,000 to the Secretary of Commerce; and

“(2) \$250,000 to the Secretary of the Interior.”

**SEC. 102. POPULATION STUDY OF STRIPED BASS.**

(a) **STUDY.**—The Secretaries (as that term is defined in the Atlantic Striped Bass Conservation Act), in consultation with the Atlantic States Marine Fisheries Commission, shall conduct a study to determine if the distribution of year classes in the Atlantic striped bass population is appropriate for maintaining adequate recruitment and sustainable fishing opportunities. In conducting the study, the Secretaries shall consider—

(1) long-term stock assessment data and other fishery-dependent and independent data for Atlantic striped bass; and

(2) the results of peer-reviewed research funded under the Atlantic Striped Bass Conservation Act.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretaries, in consultation with the Atlantic States Marine Fisheries Commission, shall submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate the results of the study and a long-term plan to ensure a balanced and healthy population structure of Atlantic striped bass, including older fish. The report shall include information regarding—

(1) the structure of the Atlantic striped bass population required to maintain adequate recruitment and sustainable fishing opportunities; and

(2) recommendations for measures necessary to achieve and maintain the population structure described in paragraph (1).

(c) **AUTHORIZATION.**—There are authorized to be appropriated to the Secretary of Commerce \$250,000 to carry out this section.

**Subtitle B—Atlantic Coastal Fisheries Cooperative Management**

**SEC. 121. SHORT TITLE.**

This subtitle may be cited as the “Atlantic Coastal Fisheries Act of 2000”.

**SEC. 122. REAUTHORIZATION OF ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT ACT.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 811 of the Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5108) is amended to read as follows:

**“SEC. 811. AUTHORIZATION OF APPROPRIATIONS.**

“(a) **IN GENERAL.**—To carry out this title, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2001 through 2005.

“(b) **COOPERATIVE STATISTICS PROGRAM.**—Amounts authorized under subsection (a) may be used by the Secretary to support the Commission’s cooperative statistics program.”

(b) **TECHNICAL CORRECTIONS.**—

(1) **IN GENERAL.**—Such Act is amended—

(A) in section 802(3) (16 U.S.C. 5101(3)) by striking “such resources in” and inserting “such resources is”; and

(B) by striking section 812 and the second section 811.

(2) **AMENDMENTS TO REPEAL NOT AFFECTED.**—The amendments made by paragraph (1)(B) shall not affect any amendment or repeal made by the sections struck by that paragraph.

(3) **SHORT TITLE REFERENCES.**—Such Act is further amended by striking “Magnuson Fishery” each place it appears and inserting “Magnuson-Stevens Fishery”.

(c) **REPORTS.**—

(1) **ANNUAL REPORT TO THE SECRETARY.**—The Secretary shall require, as a condition of providing financial assistance under this subtitle, that the Commission and each State receiving such assistance submit to the Secretary an annual report that provides a detailed accounting of the use the assistance.

(2) **BIENNIAL REPORTS TO THE CONGRESS.**—The Secretary shall submit biennial reports to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the use of Federal assistance provided to the Commission and the States under this subtitle. Each biennial report shall evaluate the success of such assistance in implementing this subtitle.

**TITLE II—JOHN H. PRESCOTT MARINE MAMMAL RESCUE ASSISTANCE GRANT PROGRAM**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Marine Mammal Rescue Assistance Act of 2000”.

**SEC. 202. JOHN H. PRESCOTT MARINE MAMMAL RESCUE ASSISTANCE GRANT PROGRAM.**

(a) **IN GENERAL.**—Title IV of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371 et seq.) is amended—

(1) by redesignating sections 408 and 409 as sections 409 and 410, respectively; and

(2) by inserting after section 407 the following:

**“SEC. 408. JOHN H. PRESCOTT MARINE MAMMAL RESCUE ASSISTANCE GRANT PROGRAM.**

“(a) **IN GENERAL.**—(1) Subject to the availability of appropriations, the Secretary shall conduct a grant program to be known as the John H. Prescott Marine Mammal Rescue Assistance Grant Program, to provide grants to eligible stranding network participants for the recovery or treatment of marine mammals, the collection of data from living or dead stranded marine mammals for scientific research regarding marine mammal health, and facility operation costs that are directly related to those purposes.

“(2)(A) The Secretary shall ensure that, to the greatest extent practicable, funds provided as grants under this subsection are distributed equitably among the stranding regions designated as of the date of the enactment of the Marine Mammal Rescue Assistance Act of 2000, and in making such grants shall give preference to those facilities that have established records for rescuing or rehabilitating sick and stranded marine mammals in each of the respective regions, or subregions.

“(B) In determining priorities among such regions, the Secretary may consider—

“(i) any episodic stranding or any mortality event other than an event described in section 410(6), that occurred in any region in the preceding year;

“(ii) data regarding average annual strandings and mortality events per region; and

“(iii) the size of the marine mammal populations inhabiting a geographic area within such a region.

“(b) **APPLICATION.**—To receive a grant under this section, a stranding network participant shall submit an application in such form and manner as the Secretary may prescribe.

“(c) **CONSULTATION.**—The Secretary shall consult with the Marine Mammal Commission, a representative from each of the designated stranding regions, and other individuals who represent public and private organizations that are actively involved in rescue,

rehabilitation, release, scientific research, marine conservation, and forensic science regarding stranded marine mammals, regarding the development of criteria for the implementation of the grant program and the awarding of grants under the program.

“(d) **LIMITATION.**—The amount of a grant under this section shall not exceed \$100,000.

“(e) **MATCHING REQUIREMENT.**—

“(1) **IN GENERAL.**—The non-Federal share of the costs of an activity conducted with a grant under this section shall be 25 percent of such costs.

“(2) **IN-KIND CONTRIBUTIONS.**—The Secretary may apply to the non-Federal share of an activity conducted with a grant under this section the amount of funds, and the fair market value of property and services, provided by non-Federal sources and used for the activity.

“(f) **ADMINISTRATIVE EXPENSES.**—Of amounts available each fiscal year to carry out this section, the Secretary may expend not more than 6 percent or \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this section.

“(g) **DEFINITIONS.**—In this section:

“(1) **DESIGNATED STRANDING REGION.**—The term ‘designated stranding region’ means a geographic region designated by the Secretary for purposes of administration of this title.

“(2) **SECRETARY.**—The term ‘Secretary’ has the meaning given that term in section 3(12)(A).

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2001 through 2003, to remain available until expended, of which—

“(1) \$4,000,000 may be available to the Secretary of Commerce; and

“(2) \$1,000,000 may be available to the Secretary of the Interior.”

(b) **CONFORMING AMENDMENT.**—Section 3(12)(B) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1362(12)(B)) is amended by inserting “(other than section 408)” after “title IV”.

(c) **CLERICAL AMENDMENT.**—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (86 Stat. 1027) is amended by striking the items relating to sections 408 and 409 and inserting the following:

“Sec. 408. John H. Prescott Marine Mammal Rescue Assistance Grant Program.

“Sec. 409. Authorization of appropriations.

“Sec. 410. Definitions.”

**SEC. 203. STUDY OF THE EASTERN GRAY WHALE POPULATION.**

(a) **STUDY.**—Not later than 180 days after the date of enactment of this Act and subject to the availability of appropriations, the Secretary of Commerce shall initiate a study of the environmental and biological factors responsible for the significant increase in mortality events of the eastern gray whale population and other potential impacts these factors may be having on the eastern gray whale population.

(b) **CONSIDERATION OF WESTERN POPULATION INFORMATION.**—The Secretary should ensure that, to the greatest extent practicable, information from current and future studies of the western gray whale population is considered in the study under this section, so as to better understand the dynamics of each population and to test different hypotheses that may lead to an increased understanding of the mechanism driving their respective population dynamics.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to other amounts authorized under

this title, there are authorized to be appropriated to the Secretary to carry out this section—

- (1) \$290,000 for fiscal year 2001; and
- (2) \$500,000 for each of fiscal years 2002 through 2004.

**SEC. 204. CONVEYANCE OF FISHERY RESEARCH VESSEL TO AMERICAN SAMOA.**

(a) **IN GENERAL.**—The Secretary of Commerce (in this section referred to as the “Secretary”) may convey to the Government of American Samoa in accordance with this section, without consideration, all right, title, and interest of the United States in and to a retired National Oceanic and Atmospheric Administration fishery research vessel in operable condition, for use by American Samoa.

(b) **LIMITATION.**—The Secretary may not convey a vessel under this section before the date on which a new replacement fishery research vessel has been delivered to the National Oceanic and Atmospheric Administration and put in active service.

(c) **OPERATION AND MAINTENANCE.**—The Government of the United States shall not be responsible or liable for any maintenance or operation of a vessel conveyed under this section after the date of the delivery of the vessel to American Samoa.

**SEC. 205. TECHNICAL AND CONFORMING AMENDMENTS RELATING TO NATIONAL MARINE SANCTUARY DESIGNATION STANDARDS.**

(a) **TECHNICAL AMENDMENT.**—Section 303(a) of the National Marine Sanctuaries Act (16 U.S.C. 1433(a)) is amended by striking “the Secretary—” and all that follows through the end of the sentence and inserting the following: “the Secretary determines that—

“(1) the designation will fulfill the purposes and policies of this title;

“(2) the area is of special national significance due to—

“(A) its conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities;

“(B) the communities of living marine resources it harbors; or

“(C) its resource or human-use values;

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

“(4) designation of the area as a national marine sanctuary will facilitate the objectives stated in paragraph (3); and

“(5) the area is of a size and nature that will permit comprehensive and coordinated conservation and management.”.

(b) **CONFORMING AMENDMENTS.**—Such Act is further amended—

(1) in section 304(a)(1)(C) (as amended by section 6(a) of the National Marine Sanctuaries Amendments Act of 2000) by striking “the Secretary shall”; and

(2) in section 304(a)(2)(E) (as amended by section 6(b) of the National Marine Sanctuaries Amendments Act of 2000) by striking “findings” and inserting “determinations”.

(c) **EFFECTIVE DATE.**—This section shall take effect immediately after the National Marine Sanctuaries Amendments Act of 2000 takes effect.

**SEC. 206. WESTERN PACIFIC PROJECT GRANTS.**

Section 111(b)(1) of the Sustainable Fisheries Act (16 U.S.C. 155 note) is amended by striking the last sentence and inserting “There are authorized to be appropriated to carry out this section \$500,000 for each fiscal year.”.

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

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2903 will help manage and conserve America’s fisheries and benefit marine mammals. Because of the press of time before we adjourn and the limited number of legislative days, we have folded together nearly a dozen previously House- or Senate-passed fisheries conservation measures. These bipartisan provisions include the reauthorization of the Atlantic Striped Bass Conservation Act and the Atlantic Coastal Fisheries Cooperative Management Act, a grant program for marine mammal stranding networks, and a study of eastern gray whale populations. All these measures deserve our support.

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

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

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong support of this legislation. The gentleman from Alaska (Mr. YOUNG) has accurately described the contents of this legislation and we urge the Members of the House to support it.

This package includes several bills that have passed the House already this year.

These include measures to conserve striped bass and other Atlantic coastal fisheries, as well as provisions to improve our understanding of marine mammal strandings around the United States, including the strandings of gray whales which has been a significant problem on the California coast.

Finally it includes a few technical measures and a vessel conveyance to American Samoa that is supported by the Administration. I am aware of no opposition to this package, and I urge Members to support it.

Mr. SAXTON. Mr. Speaker, I rise in strong support of H.R. 2903. Included in this important bill are three measures I introduced that have already been approved overwhelmingly by the House.

First, the bill reauthorizes the Atlantic Striped Bass Conservation Act for Fiscal Years 2001, 2002 and 2003. It also requires the National Marine Fisheries Service to conduct an important study to determine the age distribution of Atlantic striped bass populations and the age structure necessary to maintain adequate recruitment and sustainable opportunities for Jersey Coast fishermen along Long Beach Island in my District.

The second bill reauthorizes the Atlantic Coastal Fisheries Cooperative Management Act through Fiscal year 2005, which encourages and assists states in the management of

important recreational and commercial fisheries along the Atlantic Coast from Maine to Florida, such as the all important striped bass, summer flounder, and bluefish.

The third bill creates the John H. Prescott Marine Mammal Rescue Assistance Grant Program as well as authorizes a study on the unusual high mortality rates of eastern gray whale population along our Pacific coast.

Specifically, the Prescott grant program will fill a void under Title IV of the Marine Mammal Protection Act by making a small, but critical amount of money available through a competitive grant process to help cover a portion of the costs associated with day-to-day stranding events. I believe it is very important we demonstrate our support and appreciation for the efforts of all those people along our coasts who help our government agencies assist in the rescue, recovery and rehabilitation of stranded marine mammals.

I urge an “aye” vote.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Alaska. 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 Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 2903, 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.

The title of the bill was amended so as to read:

“A bill to reauthorize the Striped Bass Conservation Act, and for other purposes.”

A motion to reconsider was laid on the table.

**FORT MATANZAS NATIONAL MONUMENT BOUNDARY REVISION**

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1670) to revise the boundary of Fort Matanzas National Monument, and for other purposes.

The Clerk read as follows:

S. 1670

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

**SECTION 1. DEFINITIONS.**

In this Act:

(1) **MAP.**—The term “Map” means the map entitled “Fort Matanzas National Monument”, numbered 347/80,004 and dated February, 1991.

(2) **MONUMENT.**—The term “Monument” means the Fort Matanzas National Monument in Florida.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 2. REVISION OF BOUNDARY.**

(a) **IN GENERAL.**—The boundary of the Monument is revised to include an area totaling approximately 70 acres, as generally depicted on the Map.

(b) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.