

106TH CONGRESS
2D SESSION

H. R. 4189

To direct the Secretary of Transportation to carry out a vessel scrapping and processing pilot program in the United States.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2000

Mr. DEFazio introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to carry out a vessel scrapping and processing pilot program in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Surplus Vessel Scrap-
5 ping Act of 2000”.

6 **SEC. 2. ESTABLISHMENT OF PILOT PROGRAM.**

7 (a) IN GENERAL.—The Secretary of Transportation
8 shall carry out a vessel scrapping and processing pilot pro-
9 gram in the United States during fiscal years 2001

1 through 2003. The scope of the program shall be that
2 which the Secretary determines is sufficient to—

3 (1) gather data on the cost of scrapping and
4 scrap processing, in the United States, of Depart-
5 ment of Transportation vessels; and

6 (2) demonstrate cost effective technologies and
7 techniques to scrap and process such vessels in a
8 manner that is protective of worker safety and
9 health and the environment.

10 (b) CONTRACT AWARD.—(1) The Secretary, subject
11 to the availability of appropriations—

12 (A) shall award a contract under subsection (a)
13 for scrapping service to any person that the Sec-
14 retary determines will provide the best value to the
15 United States Government, taking into account any
16 factors that the Secretary considers appropriate; and

17 (B) may award, as appropriate, a contract to
18 manage the monitoring, inspection, and reporting
19 process of any scrapping facility that will perform a
20 contract under subparagraph (A).

21 (2) In making a best value determination under para-
22 graph (1)(A), the Secretary shall give a greater weight to
23 technical and performance-related factors than to cost and
24 price-related factors.

1 (3) In selecting any contractor under this subsection,
2 the Secretary shall give significant consideration to the
3 technical and management qualifications and past per-
4 formance of the contractor and the major subcontractors
5 or team members of the contractor in complying with ap-
6 plicable Federal, State, and local laws and regulations for
7 environmental and worker protection. In accordance with
8 the requirements of the Federal Acquisition Regulation,
9 in the case of an offeror without a record of relevant past
10 performance or for whom information on past perform-
11 ance is not available, the offeror may not be evaluated fa-
12 vorably or unfavorably on past performance.

13 (4) The Secretary shall ensure regional diversity in
14 awarding contracts under this section.

15 (c) CONTRACT TERMS AND CONDITIONS.—Each con-
16 tract awarded by the Secretary pursuant to subsection (b)
17 shall, at a minimum, provide for—

18 (1) the sharing, by any appropriate contracting
19 method, of the costs of scrapping the vessel or ves-
20 sels between the Government and the contractor;

21 (2) a performance incentive for a successful
22 record of environmental and worker protection in
23 performance of the contract;

24 (3) Government rights for access to the facili-
25 ties, inspection of work, and monitoring of the facil-

1 ity by Government personnel or an authorized rep-
2 resentatives to determine compliance with this Act
3 and the laws of the United States; and

4 (4) any other terms that the Secretary con-
5 siders appropriate.

6 (d) REPORTS.—(1) Not later than June 30, 2001,
7 the Secretary of Transportation shall submit an interim
8 report on the pilot program to the Committee on Trans-
9 portation and Infrastructure of the House of Representa-
10 tives and the Committee on Commerce, Science, and
11 Transportation of the Senate. The report shall contain the
12 following:

13 (A) The procedures used for the solicitation and
14 award of a contract or contracts under the pilot pro-
15 gram.

16 (B) The contract or contracts awarded under
17 the pilot program.

18 (2) Not later than September 30, 2004, the Secretary
19 of the Transportation shall submit a final report on the
20 pilot program to the committees specified in paragraph
21 (1). The report shall contain the following:

22 (A) The results of the pilot program and the
23 performance of the contractors under such program.

1 (B) The Secretary's recommended strategy to
2 carry out future ship scrapping activities, including
3 funding and personnel requirements.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to the Secretary
6 \$40,000,000 for each of fiscal years 2001, 2002, and 2003
7 to carry out this section.

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