

which are consistent with the purposes and policies of this section; and

“(B) accept donations of funds and services for use in carrying out the purposes and policies of this section, other than general administration of reserves or the System and which are consistent with the purposes and policies of this section.

Donations accepted under this section shall be considered as a gift or bequest to or for the use of the United States for the purpose of carrying out this section.”.

(f) Section 315(f)(1) (16 U.S.C. 1461(f)(1)) is amended by inserting “coordination with other state programs established under sections 306 and 309A,” after “including”.

#### SEC. 16. COASTAL ZONE MANAGEMENT REPORTS.

Section 316 (16 U.S.C. 1462) is amended—

(1) by striking “to the President for transmittal” in subsection (a);

(2) by striking “zone and an evaluation of the effectiveness of financial assistance under section 308 in dealing with such consequences;” and inserting “zone;” in the provision designated as (10) in subsection (a);

(3) by inserting “education,” after the “studies,” in the provision designated as (12) in subsection (a);

(4) by striking “Secretary” in the first sentence of subsection (c)(1) and inserting “Secretary, in consultation with coastal states, and with the participation of affected Federal agencies;”;

(5) by striking the second sentence of subsection (c)(1) and inserting the following: “The Secretary, in conducting such a review, shall coordinate with, and obtain the views of, appropriate Federal agencies.”;

(6) by striking “shall promptly” in subsection (c)(2) and inserting “shall, within 4 years after the date of enactment of the Coastal Zone Management Act of 2000,”; and

(7) by adding at the end of subsection (c)(2) the following: “If sufficient funds and resources are not available to conduct such a review, the Secretary shall so notify the Congress.”.

#### SEC. 17. AUTHORIZATION OF APPROPRIATIONS.

Section 318 (16 U.S.C. 1464) is amended—

(1) by striking paragraphs (1) and (2) of subsection (a) and inserting the following:

“(1) for grants under sections 306, 306A, and 309—

“(A) \$70,000,000 for fiscal year 2000;

“(B) \$80,000,000 for fiscal year 2001;

“(C) \$83,500,000 for fiscal year 2002;

“(D) \$87,000,000 for fiscal year 2003; and

“(E) \$90,500,000 for fiscal year 2004;

“(2) for grants under section 309A—

“(A) \$25,000,000 for fiscal year 2000;

“(B) \$26,000,000 for fiscal year 2001;

“(C) \$27,000,000 for fiscal year 2002;

“(D) \$28,000,000 for fiscal year 2003; and

“(E) \$29,000,000 for fiscal year 2004;

of which \$10,000,000, or 35 percent, whichever is less, shall be for purposes set forth in section 309A(a)(5);

“(3) for grants under section 315—

“(A) \$7,000,000 for fiscal year 2000;

“(B) \$12,000,000 for fiscal year 2001;

“(C) \$13,000,000 for fiscal year 2002;

“(D) \$14,000,000 for fiscal year 2003; and

“(E) \$15,000,000 for fiscal year 2004;

“(4) for grants to fund construction projects at estuarine reserves designated under section 315, \$12,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004; and

“(5) for costs associated with administering this title, \$6,500,000 for fiscal year 2000 and such sums as are necessary for fiscal years 2001–2004.”;

(2) by striking “306 or 309.” in subsection (b) and inserting “306.”;

(3) by striking “during the fiscal year, or during the second fiscal year after the fiscal year, for which” in subsection (c) and inserting “within 3 years from when”;

(4) by striking “under the section for such reverted amount was originally made available.” in subsection (c) and inserting “to states under this Act.”; and

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

“(d) PURCHASE OF OTHERWISE UNAVAILABLE FEDERAL PRODUCTS AND SERVICES.—Federal funds allocated under this title may be used by grantees to purchase Federal products and services not otherwise available.

“(e) RESTRICTION ON USE OF AMOUNTS FOR PROGRAM, ADMINISTRATIVE, OR OVERHEAD COSTS.—Except for funds appropriated under subsection (a)(5), amounts appropriated under this section shall be available only for grants to states and shall not be available for other program, administrative, or overhead costs of the National Oceanic and Atmospheric Administration or the Department of Commerce.”.

#### SEC. 18. SENSE OF CONGRESS.

It is the sense of Congress that the Undersecretary for Oceans and Atmosphere should re-evaluate the calculation of shoreline mileage used in the distribution of funding under the Coastal Zone Management Program to ensure equitable treatment of all regions of the coastal zone, including the Southeastern States and the Great Lakes States.

#### MARITIME ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GRAMS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 686, S. 2487.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2487) to authorize appropriations for Fiscal Year 2001 for certain maritime programs of the Department of Transportation.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert the part printed in italic.

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Maritime Administration Authorization Act for Fiscal Year 2001.”*

#### SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2001.

*Funds are hereby authorized to be appropriated, as Appropriations Acts may provide, for the use of the Department of Transportation for the Maritime Administration as follows:*

(1) *For expenses necessary for operations and training activities, not to exceed \$80,240,000 for the fiscal year ending September 30, 2001.*

(2) *For the costs, as defined in section 502 of the Federal Credit Reform Act of 1990, of guaranteed loans authorized by title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1271 et seq.), \$50,000,000, to be available until expended. In addition, for administrative expenses related to loan guarantee commitments under title XI of that Act, \$4,179,000.*

#### SEC. 3. AMENDMENTS TO TITLE IX OF THE MERCHANT MARINE ACT, 1936.

(a) *Title IX of the Merchant Marine Act, 1936 (46 U.S.C. App. 101 et seq.) is amended by adding at the end thereof the following:*

#### “SEC. 910. DOCUMENTATION OF CERTAIN DRY CARGO VESSELS.

“(a) *IN GENERAL.—The restrictions of section 901(b)(1) of this Act concerning a vessel built in a foreign country shall not apply to a newly constructed drybulk or breakbulk vessel over*

*7,500 deadweight tons that has been delivered from a foreign shipyard or contracted for construction in a foreign shipyard before the earlier of—*

*“(1) the date that is 1 year after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2001; or*

*“(2) the effective date of the OECD Shipbuilding Trade Agreement Act.*

*“(b) COMPLIANCE WITH CERTAIN U.S.-BUILD REQUIREMENTS.—A vessel timely contracted for or delivered pursuant to this section and documented under the laws of the United States shall be deemed to have been United-States built for purposes of sections 901(b) and 901b of this Act if—*

*“(1) following delivery by a foreign shipyard, the vessel has any additional shipyard work necessary to receive its initial Coast Guard certificate of inspection performed in a United States shipyard;*

*“(2) the vessel is not documented in another country before being documented under the laws of the United States;*

*“(3) the vessel complies with the same inspection standards set forth for ocean common carriers in section 1137 of the Coast Guard Authorization Act of 1996 (46 U.S.C. App. 1187 note); and*

*“(4) actual delivery of a vessel contracted for construction takes place on or before the 3-year anniversary of the date of the contract to construct the vessel.*

*“(c) SECTION 12106(e) OF TITLE 46.—Section 12106(e) of title 46, United States Code, shall not apply to a vessel built pursuant to this section.”.*

(b) *CONFORMING CALENDAR YEAR TO FEDERAL FISCAL YEAR FOR SECTION 901b PURPOSES.—Section 901b(c)(2) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241f(c)(2)) is amended by striking “1986,” and inserting “1986, the 18-month period commencing April 1, 2000, and the 12-month period beginning on the first day of October in the year 2001 and each year thereafter.”.*

#### SEC. 4. SCRAPPING OF CERTAIN VESSELS.

(a) *INTERNATIONAL ENVIRONMENTAL SCRAPPING STANDARD.—The Secretary of State in coordination with the Secretary of Transportation shall initiate discussions in all appropriate international forums in order to establish an international standard for the scrapping of vessels in a safe and environmentally sound manner.*

(b) *SCRAPPING OF OBSOLETE NATIONAL DEFENSE RESERVE FLEET VESSELS.—*

(1) *DEVELOPMENT OF A SHIP SCRAPPING PROGRAM.—The Secretary of Transportation, in consultation with the Secretary of the Navy, the Administrator of the Environmental Protection Agency, the Assistant Secretary for Occupational Safety and Health, and the Secretary of State, shall develop a program within 9 months after the date of enactment of this Act for the scrapping of obsolete National Defense Reserve Fleet Vessels and report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Armed Services.*

(A) *CONTENT.—The report shall include information concerning the initial determination of scrapping capacity, both domestically and abroad, development of appropriate regulations, funding and staffing requirements, milestone dates for the disposal of each obsolete vessel, and long term cost estimates for the ship scrapping program.*

(B) *ALTERNATIVES.—In developing the program the Secretary of Transportation, in consultation with the Secretary of the Navy, the Administrator of the Environmental Protection Agency, and the Secretary of State shall consider all alternatives and available information including—*

*(i) alternative scrapping sites;*

*(ii) vessel donations;*

*(iii) sinking of vessels in deep water;*

(iv) sinking vessels for development of artificial reefs;

(v) sales of vessels before they become obsolete;

(vi) results from the Navy Pilot Scrapping Program under section 8124 of the Department of Defense Appropriations Act, 1999; and

(vii) the Report of the Department of Defense's Interagency Panel on Ship Scrapping issued in April, 1998.

(2) **SELECTION OF SCRAPPING FACILITIES.**—Notwithstanding the provisions of the Toxic Substances Control Act (15 U.S.C. 2605 et seq.), a ship scrapping program shall be accomplished through qualified scrapping facilities whether located in the United States or abroad. Scrapping facilities shall be selected on a best value basis taking into consideration, among other things, the facilities's ability to scrap vessels—

(A) economically;

(B) in a safe and timely manner;

(C) with minimal impact on the environment;

(D) with proper respect for worker safety; and

(E) by minimizing the geographic distance that a vessel must be towed when such a vessel poses a serious threat to the environment.

(3) **AMENDMENT OF NATIONAL MARITIME HERITAGE ACT.**—Section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) is amended—

(A) by striking “2001” in subparagraph (A) and inserting “2006”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) in the most cost effective manner to the United States taking into account the need for disposal, the environment, and safety concerns; and”.

(4) **FUNDING FOR SCRAPPING.**—Section 2218(c)(1)(E) of title 10, United States Code, is amended by inserting “and scrapping the vessels of” after “maintaining”.

(c) **LIMITATION ON SCRAPPING BEFORE PROGRAM.**—Until the report required by subsection (b)(1) is transmitted to the Congress, the Secretary may not proceed with the scrapping of any vessels in the National Defense Reserve Fleet except the following:

(1) EXPORT CHALLENGER.

(2) EXPORT COMMERCE.

(3) BUILDER.

(4) ALBERT E. WATTS.

(5) WAYNE VICTORY.

(6) MORMACDAWN.

(7) MORMACMOON.

(8) SANTA ELENA.

(9) SANTA ISABEL.

(10) SANTA CRUZ.

(11) PROTECTOR.

(12) LAUDERDALE.

(13) PVT. FRED C. MURPHY.

(14) BEAUJOLAIS.

(15) MEACHAM.

(16) NEACO.

(17) WABASH.

(18) NEMASKET.

(19) MIRFAK.

(20) GEN. ALEX M. PATCH.

(21) ARTHUR M. HUDDALL.

(22) WASHINGTON.

(23) SUFFOLK COUNTY.

(24) CRANDALL.

(25) CRILLEY.

(26) RIGEL.

(27) VEGA.

(28) COMPASS ISLAND.

(29) DONNER.

(30) PRESERVER.

(31) MARINE FIDDLER.

(32) WOOD COUNTY.

(33) CATAWBA VICTORY.

(34) GEN. NELSON M. WALKER.

(35) LORAIN COUNTY.

(36) LYNCH.

(37) MISSION SANTA YNEZ.

(38) CALOOSAHATCHEE.

(39) CANISTEO.

(d) **BIANNUAL REPORT.**—Beginning 1 year after the date of enactment of this Act, the Sec-

retary of Transportation in coordination with the Secretary of the Navy shall report to Congress biannually on the progress of the ship scrapping program developed under subsection (b)(1) and on the progress of any other scrapping of obsolete government-owned vessels.

#### **SEC. 5. REPORTING OF ADMINISTERED AND OVERSIGHT FUNDS.**

The Maritime Administration, in its annual report to the Congress under section 208 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1118), and in its annual budget estimate submitted to the Congress, shall state separately the amount, source, intended use, and nature of any funds (other than funds appropriated to the Administration or to the Secretary of Transportation for use by the Administration) administered, or subject to oversight, by the Administration.

#### **SEC. 6. MARITIME INTERMODAL RESEARCH.**

Section 8 of Public Law 101-115 (46 U.S.C. App. 1121-2) is amended by adding at the end thereof the following:

“(f) **UNIVERSITY TRANSPORTATION RESEARCH FUNDS.**—

“(1) **IN GENERAL.**—The Secretary may make a grant under section 5505 of title 49, United States Code, to an institute designated under subsection (a) for maritime and maritime intermodal research under that section as if the institute were a university transportation center.

“(2) **ADVICE AND CONSULTATION OF MARAD.**—In making a grant under the authority of paragraph (1), the Secretary, through the Research and Special Programs Administration, shall advise the Maritime Administration concerning the availability of funds for the grants, and consult with the Administration on the making of the grants.”.

#### **SEC. 7. MARITIME RESEARCH AND TECHNOLOGY DEVELOPMENT.**

(a) **IN GENERAL.**—The Secretary of Transportation shall conduct a study of maritime research and technology development, and report its findings and conclusions, together with any recommendations it finds appropriate, to the Congress within 9 months after the date of enactment of this Act.

(b) **REQUIRED AREAS OF STUDY.**—The Secretary shall include the following items in the report required by subsection (a):

(1) The approximate dollar values appropriated by the Congress for each of the 5 fiscal years ending before the study is commenced for each of the following modes of transportation:

(A) Highway.

(B) Rail.

(C) Aviation.

(D) Public transit.

(E) Maritime.

(2) A description of how Federal funds appropriated for research in the different transportation modes are utilized.

(3) A summary and description of current research and technology development funds appropriated for each of those fiscal years for maritime research initiatives, with separate categories for funds provided to the Coast Guard for marine safety research purposes.

(4) A description of cooperative mechanisms that could be used to attract and leverage non-Federal investments in United States maritime research and technology development and application programs, including the potential for the creation of maritime transportation research centers and the benefits of cooperating with existing surface transportation research centers.

(5) Proposals for research and technology development funding to facilitate the evolution of Maritime Transportation System.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$100,000 to carry out this section.

#### **SEC. 8. AUTHORITY TO CONVEY NATIONAL DEFENSE RESERVE FLEET VESSEL, GLACIER.**

(a) **AUTHORITY TO CONVEY.**—Notwithstanding any other law, the Secretary of Transportation

may, subject to subsection (b), convey all right, title, and interest of the United States Government in and to the vessel in the National Defense Reserve Fleet that was formerly the U.S.S. GLACIER (United States official number AGB-4) to the Glacier Society, Inc., a corporation established under the laws of the State of Connecticut that is located in Bridgeport, Connecticut.

(b) **TERMS OF CONVEYANCE.**—

(1) **REQUIRED CONDITIONS.**—The Secretary may not convey the vessel under this section unless the corporation—

(A) agrees to use the vessel for the purpose of a monument to the accomplishments of members of the Armed Forces of the United States, civilians, scientists, and diplomats in exploration of the Arctic and the Antarctic;

(B) agrees that the vessel will not be used for commercial purposes;

(C) agrees to make the vessel available to the Government if the Secretary requires use of the vessel by the Government for war or national emergency;

(D) agrees to hold the Government harmless for any claims arising from exposure to asbestos, polychlorinated biphenyls, or lead paint after the conveyance of the vessel, except for claims arising from use of the vessel by the Government pursuant to the agreement under subparagraph (C); and

(E) provides sufficient evidence to the Secretary that it has available for use to restore the vessel, in the form of cash, liquid assets, or a written loan commitment, financial resources of at least \$100,000.

(2) **DELIVERY OF VESSEL.**—If the Secretary conveys the vessel under this section, the Secretary shall deliver the vessel—

(A) at the place where the vessel is located on the date of conveyance;

(B) in its condition on that date; and

(C) at no cost to the United States Government.

(3) **ADDITIONAL TERMS.**—The Secretary may require such additional terms in connection with the conveyance authorized by this section as the Secretary considers appropriate.

(c) **OTHER UNNEEDED EQUIPMENT.**—If the Secretary conveys the vessel under this section, the Secretary may also convey to the corporation any unneeded equipment from other vessels in the National Defense Reserve Fleet or Government storage facilities for use to restore the vessel to museum quality or to its original configuration (or both).

(d) **RETENTION OF VESSEL IN NDRF.**—The Secretary shall retain in the National Defense Reserve Fleet the vessel authorized to be conveyed under this section until the earlier of—

(1) 2 years after the date of the enactment of this Act; or

(2) the date of the conveyance of the vessel under this section.

Mr. GRAMS. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2487), as amended, was read the third time and passed.

#### **VESSEL WORKER TAX FAIRNESS ACT**

Mr. GRAMS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 830, S. 893.