

In the Senate of the United States,

October 13 (legislative day, September 22), 2000.

Resolved, That the bill from the House of Representatives (H.R. 3417) entitled “An Act to complete the orderly withdrawal of the National Oceanic and Atmospheric Administration from the civil administration of the Pribilof Islands, Alaska.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***TITLE I—PRIBILOF ISLANDS***

2 ***TRANSITION***

3 ***SEC. 101. SHORT TITLE.***

4 *This title may be referred to as the “Pribilof Islands*
5 *Transition Act”.*

6 ***SEC. 102. PURPOSE.***

7 *The purpose of this title is to complete the orderly*
8 *withdrawal of the National Oceanic and Atmospheric Ad-*
9 *ministration from the civil administration of the Pribilof*
10 *Islands, Alaska.*

1 **SEC. 103. FINANCIAL ASSISTANCE FOR PRIBILOF ISLANDS**
2 **UNDER FUR SEAL ACT OF 1966.**

3 *Public Law 89–702, popularly known and referred to*
4 *in this title as the Fur Seal Act of 1966, is amended by*
5 *amending section 206 (16 U.S.C. 1166) to read as follows:*

6 **“SEC. 206. FINANCIAL ASSISTANCE.**

7 **“(a) GRANT AUTHORITY.—**

8 **“(1) IN GENERAL.—***Subject to the availability of*
9 *appropriations, the Secretary shall provide financial*
10 *assistance to any city government, village corpora-*
11 *tion, or tribal council of St. George, Alaska, or St.*
12 *Paul, Alaska.*

13 **“(2) USE FOR MATCHING.—***Notwithstanding any*
14 *other provision of law relating to matching funds,*
15 *funds provided by the Secretary as assistance under*
16 *this subsection may be used by the entity as non-Fed-*
17 *eral matching funds under any Federal program that*
18 *requires such matching funds.*

19 **“(3) RESTRICTION ON USE.—***The Secretary may*
20 *not use financial assistance authorized by this Act—*

21 **“(A)** *to settle any debt owed to the United*
22 *States;*

23 **“(B)** *for administrative or overhead ex-*
24 *penses; or*

1 “(C) for contributions authorized under sec-
2 tion 105(b)(3)(B) of the Pribilof Islands Transi-
3 tion Act.

4 “(4) *FUNDING INSTRUMENTS AND PROCE-*
5 *DURES.—In providing assistance under this sub-*
6 *section the Secretary shall transfer any funds appro-*
7 *priated to carry out this section to the Secretary of*
8 *the Interior, who shall obligate such funds through in-*
9 *struments and procedures that are equivalent to the*
10 *instruments and procedures required to be used by the*
11 *Bureau of Indian Affairs pursuant to title IV of the*
12 *Indian Self-Determination and Education Assistance*
13 *Act (25 U.S.C. 450 et seq.).*

14 “(5) *PRO RATA DISTRIBUTION OF ASSISTANCE.—*
15 *In any fiscal year for which less than all of the funds*
16 *authorized under subsection (c)(1) are appropriated,*
17 *such funds shall be distributed under this subsection*
18 *on a pro rata basis among the entities referred to in*
19 *subsection (c)(1) in the same proportions in which*
20 *amounts are authorized by that subsection for grants*
21 *to those entities.*

22 “(b) *SOLID WASTE ASSISTANCE.—*

23 “(1) *IN GENERAL.—Subject to the availability of*
24 *appropriations, the Secretary shall provide assistance*
25 *to the State of Alaska for designing, locating, con-*

1 *structing, redeveloping, permitting, or certifying solid*
2 *waste management facilities on the Pribilof Islands to*
3 *be operated under permits issued to the City of St.*
4 *George and the City of St. Paul, Alaska, by the State*
5 *of Alaska under section 46.03.100 of the Alaska Stat-*
6 *utes.*

7 “(2) *TRANSFER.—The Secretary shall transfer*
8 *any appropriations received under paragraph (1) to*
9 *the State of Alaska for the benefit of rural and Native*
10 *villages in Alaska for obligation under section 303 of*
11 *Public Law 104–182, except that subsection (b) of*
12 *that section shall not apply to those funds.*

13 “(c) *AUTHORIZATION OF APPROPRIATIONS.—There are*
14 *authorized to be appropriated to the Secretary for fiscal*
15 *years 2001, 2002, 2003, 2004, and 2005—*

16 “(1) *for assistance under subsection (a) a total*
17 *not to exceed—*

18 “(A) *\$9,000,000, for grants to the City of*
19 *St. Paul;*

20 “(B) *\$6,300,000, for grants to the*
21 *Tanadgusix Corporation;*

22 “(C) *\$1,500,000, for grants to the St. Paul*
23 *Tribal Council;*

24 “(D) *\$6,000,000, for grants to the City of*
25 *St. George;*

1 “(E) \$4,200,000, for grants to the St.
2 George Tanaq Corporation; and

3 “(F) \$1,000,000, for grants to the St.
4 George Tribal Council; and

5 “(2) for assistance under subsection (b), such
6 sums as may be necessary.

7 “(d) *LIMITATION ON USE OF ASSISTANCE FOR LOB-*
8 *BYING ACTIVITIES.*—None of the funds authorized by this
9 section may be available for any activity a purpose of which
10 is to influence legislation pending before the Congress, ex-
11 cept that this subsection shall not prevent officers or em-
12 ployees of the United States or of its departments, agencies,
13 or commissions from communicating to Members of Con-
14 gress, through proper channels, requests for legislation or
15 appropriations that they consider it necessary for the effi-
16 cient conduct of public business.

17 “(e) *IMMUNITY FROM LIABILITY.*—Neither the United
18 States nor any of its agencies, officers, or employees shall
19 have any liability under this Act or any other law associ-
20 ated with or resulting from the designing, locating, con-
21 tracting for, redeveloping, permitting, certifying, operating,
22 or maintaining any solid waste management facility on the
23 Pribilof Islands as a consequence of having provided assist-
24 ance to the State of Alaska under subsection (b).

1 “(f) *REPORT ON EXPENDITURES.*—Each entity which
2 receives assistance authorized under subsection (c) shall
3 submit an audited statement listing the expenditure of that
4 assistance to the Committee on Appropriations and the
5 Committee on Resources of the House of Representatives
6 and the Committee on Appropriations and the Committee
7 on Commerce, Science, and Transportation of the Senate,
8 on the last day of fiscal years 2002, 2004, and 2006.

9 “(g) *CONGRESSIONAL INTENT.*—Amounts authorized
10 under subsection (c) are intended by Congress to be pro-
11 vided in addition to the base funding appropriated to the
12 National Oceanic and Atmospheric Administration in fis-
13 cal year 2000.

14 **SEC. 104. DISPOSAL OF PROPERTY.**

15 Section 205 of the Fur Seal Act of 1966 (16 U.S.C.
16 1165) is amended—

17 (1) by amending subsection (c) to read as fol-
18 lows:

19 “(c) Not later than 3 months after the date of the enact-
20 ment of the Pribilof Islands Transition Act, the Secretary
21 shall submit to the Committee on Commerce, Science, and
22 Transportation of the Senate and the Committee on Re-
23 sources of the House of Representatives a report that
24 includes—

1 “(1) a description of all property specified in the
2 document referred to in subsection (a) that has been
3 conveyed under that subsection;

4 “(2) a description of all Federal property speci-
5 fied in the document referred to in subsection (a) that
6 is going to be conveyed under that subsection; and

7 “(3) an identification of all Federal property on
8 the Pribilof Islands that will be retained by the Fed-
9 eral Government to meet its responsibilities under
10 this Act, the Convention, and any other applicable
11 law.”; and

12 (2) by striking subsection (g).

13 **SEC. 105. TERMINATION OF RESPONSIBILITIES.**

14 (a) *FUTURE OBLIGATION.*—

15 (1) *IN GENERAL.*—The Secretary of Commerce
16 shall not be considered to have any obligation to pro-
17 mote or otherwise provide for the development of any
18 form of an economy not dependent on sealing on the
19 Pribilof Islands, Alaska, including any obligation
20 under section 206 of the Fur Seal Act of 1966 (16
21 U.S.C. 1166) or section 3(c)(1)(A) of Public Law
22 104–91 (16 U.S.C. 1165 note).

23 (2) *SAVINGS.*—This subsection shall not affect
24 any cause of action under section 206 of the Fur Seal

1 *Act of 1966 (16 U.S.C. 1166) or section 3(c)(1)(A) of*
2 *Public Law 104–91 (16 U.S.C. 1165 note)—*

3 *(A) that arose before the date of the enact-*
4 *ment of this Act; and*

5 *(B) for which a judicial action is filed be-*
6 *fore the expiration of the 5-year period begin-*
7 *ning on the date of the enactment of this Act.*

8 *(3) RULE OF CONSTRUCTION.—Nothing in this*
9 *title shall be construed to imply that—*

10 *(A) any obligation to promote or otherwise*
11 *provide for the development in the Pribilof Is-*
12 *lands of any form of an economy not dependent*
13 *on sealing was or was not established by section*
14 *206 of the Fur Seal Act of 1966 (16 U.S.C.*
15 *1166), section 3(c)(1)(A) of Public Law 104–91*
16 *(16 U.S.C. 1165 note), or any other provision of*
17 *law; or*

18 *(B) any cause of action could or could not*
19 *arise with respect to such an obligation.*

20 *(4) CONFORMING AMENDMENT.—Section 3(c)(1)*
21 *of Public Law 104–91 (16 U.S.C. 1165 note) is*
22 *amended by striking subparagraph (A) and redesign-*
23 *ating subparagraphs (B) through (D) in order as*
24 *subparagraphs (A) through (C).*

25 *(b) PROPERTY CONVEYANCE AND CLEANUP.—*

1 (1) *IN GENERAL.*—Subject to paragraph (2),
2 there are terminated all obligations of the Secretary
3 of Commerce and the United States to—

4 (A) convey property under section 205 of
5 the Fur Seal Act of 1966 (16 U.S.C. 1165); and

6 (B) carry out cleanup activities, including
7 assessment, response, remediation, and moni-
8 toring, except for postremedial measures such as
9 monitoring and operation and maintenance ac-
10 tivities, related to National Oceanic and Atmos-
11 pheric Administration administration of the
12 Pribilof Islands, Alaska, under section 3 of Pub-
13 lic Law 104–91 (16 U.S.C. 1165 note) and the
14 Pribilof Islands Environmental Restoration
15 Agreement between the National Oceanic and At-
16 mospheric Administration and the State of Alas-
17 ka, signed January 26, 1996.

18 (2) *APPLICATION.*—Paragraph (1) shall apply
19 on and after the date on which the Secretary certifies
20 that—

21 (A) the State of Alaska has provided written
22 confirmation that no further corrective action is
23 required at the sites and operable units covered
24 by the Pribilof Islands Environmental Restora-
25 tion Agreement between the National Oceanic

1 *and Atmospheric Administration and the State*
2 *of Alaska, signed January 26, 1996, with the ex-*
3 *ception of postremedial measures, such as moni-*
4 *toring and operation and maintenance activities;*

5 *(B) the cleanup required under section 3(a)*
6 *of Public Law 104–91 (16 U.S.C. 1165 note) is*
7 *complete;*

8 *(C) the properties specified in the document*
9 *referred to in subsection (a) of section 205 of the*
10 *Fur Seal Act of 1966 (16 U.S.C. 1165(a)) can be*
11 *unconditionally offered for conveyance under*
12 *that section; and*

13 *(D) all amounts appropriated under section*
14 *206(c)(1) of the Fur Seal Act of 1966, as amend-*
15 *ed by this title, have been obligated.*

16 (3) *FINANCIAL CONTRIBUTIONS FOR CLEANUP*
17 *COSTS.—(A) On and after the date on which section*
18 *3(b)(5) of Public Law 104–91 (16 U.S.C. 1165 note)*
19 *is repealed by this title, the Secretary may not seek*
20 *or require financial contribution by or from any local*
21 *governmental entity of the Pribilof Islands, any offi-*
22 *cial of such an entity, or the owner of land on the*
23 *Pribilof Islands, for cleanup costs incurred pursuant*
24 *to section 3(a) of Public Law 104–91 (as in effect be-*

1 *fore such repeal), except as provided in subparagraph*
2 *(B).*

3 *(B) Subparagraph (A) shall not limit the au-*
4 *thority of the Secretary to seek or require financial*
5 *contribution from any person for costs or fees to clean*
6 *up any matter that was caused or contributed to by*
7 *such person on or after March 15, 2000.*

8 *(4) CERTAIN RESERVED RIGHTS NOT CONDI-*
9 *TIONS.—For purposes of paragraph (2)(C), the fol-*
10 *lowing requirements shall not be considered to be con-*
11 *ditions on conveyance of property:*

12 *(A) Any requirement that a potential trans-*
13 *feree must allow the National Oceanic and At-*
14 *mospheric Administration continued access to*
15 *the property to conduct environmental moni-*
16 *toring following remediation activities.*

17 *(B) Any requirement that a potential trans-*
18 *feree must allow the National Oceanic and At-*
19 *mospheric Administration access to the property*
20 *to continue the operation, and eventual closure,*
21 *of treatment facilities.*

22 *(C) Any requirement that a potential trans-*
23 *feree must comply with institutional controls to*
24 *ensure that an environmental cleanup remains*
25 *protective of human health or the environment*

1 *that do not unreasonably affect the use of the*
2 *property.*

3 *(D) Valid existing rights in the property,*
4 *including rights granted by contract, permit,*
5 *right-of-way, or easement.*

6 *(E) The terms of the documents described in*
7 *subsection (d)(2).*

8 *(c) REPEALS.—Effective on the date described in sub-*
9 *section (b)(2), the following provisions are repealed:*

10 *(1) Section 205 of the Fur Seal Act of 1966 (16*
11 *U.S.C. 1165).*

12 *(2) Section 3 of Public Law 104–91 (16 U.S.C.*
13 *1165 note).*

14 *(d) SAVINGS.—*

15 *(1) IN GENERAL.—Nothing in this title shall af-*
16 *fect any obligation of the Secretary of Commerce, or*
17 *of any Federal department or agency, under or with*
18 *respect to any document described in paragraph (2)*
19 *or with respect to any lands subject to such a docu-*
20 *ment.*

21 *(2) DOCUMENTS DESCRIBED.—The documents*
22 *referred to in paragraph (1) are the following:*

23 *(A) The Transfer of Property on the Pribilof*
24 *Islands: Description, Terms, and Conditions,*
25 *dated February 10, 1984, between the Secretary*

1 *of Commerce and various Pribilof Island enti-*
2 *ties.*

3 *(B) The Settlement Agreement between*
4 *Tanadgusix Corporation and the City of St.*
5 *Paul, dated January 11, 1988, and approved by*
6 *the Secretary of Commerce on February 23,*
7 *1988.*

8 *(C) The Memorandum of Understanding be-*
9 *tween Tanadgusix Corporation, Tanaq Corpora-*
10 *tion, and the Secretary of Commerce, dated De-*
11 *cember 22, 1976.*

12 *(e) DEFINITIONS.—*

13 *(1) IN GENERAL.—Except as provided in para-*
14 *graph (2), the definitions set forth in section 101 of*
15 *the Fur Seal Act of 1966 (16 U.S.C. 1151) shall*
16 *apply to this section.*

17 *(2) NATIVES OF THE PRIBILOF ISLANDS.—For*
18 *purposes of this section, the term “Natives of the*
19 *Pribilof Islands” includes the Tanadgusix Corpora-*
20 *tion, the St. George Tanaq Corporation, and the city*
21 *governments and tribal councils of St. Paul and St.*
22 *George, Alaska.*

23 **SEC. 106. TECHNICAL AND CLARIFYING AMENDMENTS.**

24 *(a) Public Law 104–91 and the Fur Seal Act of 1966*
25 *are amended by—*

1 (1) striking “(d)” and all that follows through
2 the heading for subsection (d) of section 3 of Public
3 Law 104–91 and inserting “**SEC. 212.**”; and

4 (2) moving and redesignating such subsection so
5 as to appear as section 212 of the Fur Seal Act of
6 1966.

7 (b) Section 201 of the Fur Seal Act of 1966 (16 U.S.C.
8 1161) is amended by striking “on such Islands” and insert
9 “on such property”.

10 (c) The Fur Seal Act of 1966 is amended by inserting
11 before title I the following:

12 **“SECTION 1. SHORT TITLE.**

13 *“This Act may be cited as the ‘Fur Seal Act of 1966’.”.*

14 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 3 of Public Law 104–91 (16 U.S.C. 1165 note)
16 is amended—

17 (1) in subsection (f) by striking “1996, 1997,
18 and 1998” and inserting “2001, 2002, 2003, 2004,
19 and 2005”; and

20 (2) by adding at the end the following:

21 “(g) **LOW-INTEREST LOAN PROGRAM.**—

22 “(1) **CAPITALIZATION OF REVOLVING FUND.**—Of
23 amounts authorized under subsection (f) for each of
24 fiscal years 2001, 2002, 2003, 2004, and 2005, the
25 Secretary may provide to the State of Alaska up to

1 \$2,000,000 per fiscal year to capitalize a revolving
 2 fund to be used by the State for loans under this sub-
 3 section.

4 “(2) *LOW-INTEREST LOANS.*—The Secretary shall
 5 require that any revolving fund established with
 6 amounts provided under this subsection shall be used
 7 only to provide low-interest loans to Natives of the
 8 Pribilof Islands to assess, respond to, remediate, and
 9 monitor contamination from lead paint, asbestos, and
 10 petroleum from underground storage tanks.

11 “(3) *NATIVES OF THE PRIBILOF ISLANDS DE-*
 12 *FINED.*—The definitions set forth in section 101 of the
 13 *Fur Seal Act of 1966 (16 U.S.C. 1151)* shall apply
 14 to this section, except that the term ‘Natives of the
 15 Pribilof Islands’ shall include the Tanadgusix and
 16 Tanaq Corporations.”.

17 **TITLE II—COASTAL ZONE**
 18 **MANAGEMENT**

19 **SEC. 201. SHORT TITLE.**

20 *This title may be cited as the “Coastal Zone Manage-*
 21 *ment Act of 2000”.*

22 **SEC. 202. AMENDMENT OF COASTAL ZONE MANAGEMENT**
 23 **ACT.**

24 *Except as otherwise expressly provided, whenever in*
 25 *this title an amendment or repeal is expressed in terms of*

1 *an amendment to, or repeal of, a section or other provision,*
2 *the reference shall be considered to be made to a section or*
3 *other provision of the Coastal Zone Management Act of*
4 *1972 (16 U.S.C. 1451 et seq.).*

5 **SEC. 203. FINDINGS.**

6 *Section 302 (16 U.S.C. 1451) is amended—*

7 *(1) by redesignating paragraphs (a) through (m)*
8 *as paragraphs (1) through (13);*

9 *(2) by inserting “ports,” in paragraph (3) (as so*
10 *redesignated) after “fossil fuels,”;*

11 *(3) by inserting “including coastal waters and*
12 *wetlands,” in paragraph (4) (as so redesignated) after*
13 *“zone,”;*

14 *(4) by striking “therein,” in paragraph (4) (as*
15 *so redesignated) and inserting “dependent on that*
16 *habitat,”;*

17 *(5) by striking “well-being” in paragraph (5) (as*
18 *so redesignated) and inserting “quality of life”;*

19 *(6) by striking paragraph (11) (as so redesign-*
20 *ated) and inserting the following:*

21 *“(11) Land and water uses in the coastal zone*
22 *and coastal watersheds may significantly affect the*
23 *quality of coastal waters and habitats, and efforts to*
24 *control coastal water pollution from activities in these*
25 *areas must be improved.”; and*

1 (7) *by adding at the end thereof the following:*

2 “(14) *There is a need to enhance cooperation and*
3 *coordination among states and local communities, to*
4 *encourage local community-based solutions that ad-*
5 *dress the impacts and pressures on coastal resources*
6 *and on public facilities and public service caused by*
7 *continued coastal demands, and to increase state and*
8 *local capacity to identify public infrastructure and*
9 *open space needs and develop and implement plans*
10 *which provide for sustainable growth, resource protec-*
11 *tion and community revitalization.”.*

12 **SEC. 204. POLICY.**

13 *Section 303 (16 U.S.C. 1452) is amended—*

14 (1) *by striking “the states” in paragraph (2)*
15 *and inserting “state and local governments”;*

16 (2) *by striking “waters,” each place it appears*
17 *in paragraph (2)(C) and inserting “waters and habi-*
18 *tats,”;*

19 (3) *by striking “agencies and state and wildlife*
20 *agencies; and” in paragraph (2)(J) and inserting*
21 *“and wildlife management; and”;*

22 (4) *by inserting “other countries,” after “agen-*
23 *cies,” in paragraph (5);*

24 (5) *by striking “and” at the end of paragraph*
25 *(5);*

1 (6) by striking “zone.” in paragraph (6) and in-
2 serting “zone;”; and

3 (7) by adding at the end thereof the following:

4 “(7) to create and use a National Estuarine Re-
5 search Reserve System as a Federal, state, and com-
6 munity partnership to support and enhance coastal
7 management and stewardship; and

8 “(8) to encourage the development, application,
9 and transfer of innovative coastal and estuarine envi-
10 ronmental technologies and techniques for the long-
11 term conservation of coastal ecosystems.”.

12 **SEC. 205. CHANGES IN DEFINITIONS.**

13 Section 304 (16 U.S.C. 1453) is amended—

14 (1) by striking “and the Trust Territories of the
15 Pacific Islands,” in paragraph (4);

16 (2) by striking paragraph (8) and inserting the
17 following:

18 “(8) The term ‘estuarine reserve’ means a coastal
19 protected area which may include any part or all of
20 an estuary and any island, transitional area, and
21 upland in, adjoining, or adjacent to the estuary, and
22 which constitutes to the extent feasible a natural unit,
23 established to provide long-term opportunities for con-
24 ducting scientific studies and educational and train-

1 *ing programs that improve the understanding, stew-*
2 *ardship, and management of estuaries.”; and*

3 *(3) by adding at the end thereof the following:*

4 *“(19) The term ‘coastal nonpoint pollution con-*
5 *trol strategies and measures’ means strategies and*
6 *measures included as part of the coastal nonpoint pol-*
7 *lution control program under section 6217 of the*
8 *Coastal Zone Act Reauthorization Amendments of*
9 *1990 (16 U.S.C. 1455b).*

10 *“(20) The term ‘qualified local entity’ means—*

11 *“(A) any local government;*

12 *“(B) any areawide agency referred to in*
13 *section 204(a)(1) of the Demonstration Cities*
14 *and Metropolitan Development Act of 1966 (42*
15 *U.S.C. 3334 (a)(1));*

16 *“(C) any regional agency;*

17 *“(D) any interstate agency;*

18 *“(E) any nonprofit organization; or*

19 *“(F) any reserve established under section*
20 *315.”.*

21 **SEC. 206. REAUTHORIZATION OF MANAGEMENT PROGRAM**

22 **DEVELOPMENT GRANTS.**

23 *Section 305 (16 U.S.C. 1454) is amended to read as*
24 *follows:*

1 **“SEC. 305. MANAGEMENT PROGRAM DEVELOPMENT**
2 **GRANTS.**

3 *“(a) STATES WITHOUT PROGRAMS.—In fiscal years*
4 *2001, 2002, 2003, and 2004, the Secretary may make a*
5 *grant annually to any coastal state without an approved*
6 *program if the coastal state demonstrates to the satisfaction*
7 *of the Secretary that the grant will be used to develop a*
8 *management program consistent with the requirements set*
9 *forth in section 306. The amount of any such grant shall*
10 *not exceed \$200,000 in any fiscal year, and shall require*
11 *State matching funds according to a 4-to-1 ratio of Federal-*
12 *to-State contributions. After an initial grant is made to a*
13 *coastal state under this subsection, no subsequent grant may*
14 *be made to that coastal state under this subsection unless*
15 *the Secretary finds that the coastal state is satisfactorily*
16 *developing its management program. No coastal state is eli-*
17 *gible to receive more than 4 grants under this subsection.*

18 *“(b) SUBMITTAL OF PROGRAM FOR APPROVAL.—A*
19 *coastal state that has completed the development of its man-*
20 *agement program shall submit the program to the Secretary*
21 *for review and approval under section 306.”.*

22 **SEC. 207. ADMINISTRATIVE GRANTS.**

23 *(a) PURPOSES.—Section 306(a) (16 U.S.C. 1455(a))*
24 *is amended by inserting “including developing and imple-*
25 *menting coastal nonpoint pollution control program compo-*
26 *nents,” after “program,”.*

1 (b) *EQUITABLE ALLOCATION OF FUNDING.*—Section
2 306(c) (16 U.S.C. 1455(c)) is amended by adding at the
3 end thereof “In promoting equity, the Secretary shall con-
4 sider the overall change in grant funding under this section
5 from the preceding fiscal year and minimize the relative
6 increases or decreases among all the eligible States. The Sec-
7 retary shall ensure that each eligible State receives in-
8 creased funding under this section in any fiscal year for
9 which the total amount appropriated to carry out this sec-
10 tion is greater than the total amount appropriated to carry
11 out this section for the preceding fiscal year.

12 (c) *ACQUISITION CRITERIA.*—Section 306(d)(10)(B)
13 (16 U.S.C. 1455(d)(10)(B)) is amended by striking “less
14 than fee simple” and inserting “other”.

15 **SEC. 208. COASTAL RESOURCE IMPROVEMENT PROGRAM.**

16 Section 306A (16 U.S.C. 1455a) is amended—

17 (1) by inserting “or other important coastal
18 habitats” in subsection (b)(1)(A) after “306(d)(9)”;

19 (2) by inserting “or historic” in subsection (b)(2)
20 after “urban”;

21 (3) by adding at the end of subsection (b) the fol-
22 lowing:

23 “(5) The coordination and implementation of
24 approved coastal nonpoint pollution control plans.

1 “(6) *The preservation, restoration, enhancement*
2 *or creation of coastal habitats.*”;

3 (4) *by striking “and” after the semicolon in sub-*
4 *section (c)(2)(D);*

5 (5) *by striking “section.” in subsection (c)(2)(E)*
6 *and inserting “section;”;*

7 (6) *by adding at the end of subsection (c)(2) the*
8 *following:*

9 “(F) *work, resources, or technical support*
10 *necessary to preserve, restore, enhance, or create*
11 *coastal habitats; and*

12 “(G) *the coordination and implementation*
13 *of approved coastal nonpoint pollution control*
14 *plans.*”; *and*

15 (7) *by striking subsections (d), (e), and (f) and*
16 *inserting after subsection (c) the following:*

17 “(d) *SOURCE OF FEDERAL GRANTS; STATE MATCHING*
18 *CONTRIBUTIONS.—*

19 “(1) *IN GENERAL.—If a coastal state chooses to*
20 *fund a project under this section, then—*

21 “(A) *it shall submit to the Secretary a com-*
22 *bined application for grants under this section*
23 *and section 306;*

1 “(B) it shall match the combined amount of
2 such grants in the ratio required by section
3 306(a) for grants under that section; and

4 “(C) the Federal funding for the project
5 shall be a portion of that state’s annual alloca-
6 tion under section 306(a).

7 “(2) USE OF FUNDS.—Grants provided under
8 this section may be used to pay a coastal state’s share
9 of costs required under any other Federal program
10 that is consistent with the purposes of this section.

11 “(e) ALLOCATION OF GRANTS TO QUALIFIED LOCAL
12 ENTITY.—With the approval of the Secretary, the eligible
13 coastal state may allocate to a qualified local entity a por-
14 tion of any grant made under this section for the purpose
15 of carrying out this section; except that such an allocation
16 shall not relieve that state of the responsibility for ensuring
17 that any funds so allocated are applied in furtherance of
18 the state’s approved management program.

19 “(f) ASSISTANCE.—The Secretary shall assist eligible
20 coastal states in identifying and obtaining from other Fed-
21 eral agencies technical and financial assistance in achiev-
22 ing the objectives set forth in subsection (b).”.

1 **SEC. 209. COASTAL ZONE MANAGEMENT FUND.**

2 (a) *TREATMENT OF LOAN REPAYMENTS.*—Section
3 308(a)(2) (16 U.S.C. 1456a(a)(2)) is amended to read as
4 follows:

5 “(2) Loan repayments made under this
6 subsection—

7 “(A) shall be retained by the Secretary and
8 deposited into the Coastal Zone Management
9 Fund established under subsection (b); and

10 “(B) subject to amounts provided in Appro-
11 priations Acts, shall be available to the Secretary
12 for purposes of this title and transferred to the
13 Operations, Research, and Facilities account of
14 the National Oceanic and Atmospheric Adminis-
15 tration to offset the costs of implementing this
16 title.”.

17 (b) *USE OF AMOUNTS IN FUND.*—Section 308(b) (16
18 U.S.C. 1456a(b)) is amended by striking paragraphs (2)
19 and (3) and inserting the following:

20 “(2) Subject to Appropriation Acts, amounts in
21 the Fund shall be available to the Secretary to carry
22 out the provisions of this Act.”.

23 **SEC. 210. COASTAL ZONE ENHANCEMENT GRANTS.**

24 Section 309 (16 U.S.C. 1456b) is amended—

25 (1) by striking subsection (a)(1) and inserting
26 the following:

1 “(1) *Protection, restoration, enhancement, or cre-*
2 *ation of coastal habitats, including wetlands, coral*
3 *reefs, marshes, and barrier islands.*”;

4 (2) *by inserting “and removal” after “entry” in*
5 *subsection (a)(4);*

6 (3) *by striking “on various individual uses or*
7 *activities on resources, such as coastal wetlands and*
8 *fishery resources.” in subsection (a)(5) and inserting*
9 *“of various individual uses or activities on coastal*
10 *waters, habitats, and resources, including sources of*
11 *polluted runoff.”;*

12 (4) *by adding at the end of subsection (a) the fol-*
13 *lowing:*

14 “(10) *Development and enhancement of coastal*
15 *nonpoint pollution control program components, in-*
16 *cluding the satisfaction of conditions placed on such*
17 *programs as part of the Secretary’s approval of the*
18 *programs.*

19 “(11) *Significant emerging coastal issues as*
20 *identified by coastal states, in consultation with the*
21 *Secretary and qualified local entities.*”;

22 (5) *by striking “proposals, taking into account*
23 *the criteria established by the Secretary under sub-*
24 *section (d).” in subsection (c) and inserting “pro-*
25 *posals.”;*

1 (6) by striking subsection (d) and redesignating
2 subsection (e) as subsection (d);

3 (7) by striking “section, up to a maximum of
4 \$10,000,000 annually” in subsection (f) and inserting
5 “section.”; and

6 (8) by redesignating subsections (f) and (g) as
7 subsections (e) and (f), respectively.

8 **SEC. 211. COASTAL COMMUNITY PROGRAM.**

9 *The Act is amended by inserting after section 309 the*
10 *following:*

11 **“SEC. 309A. COASTAL COMMUNITY PROGRAM.**

12 “(a) *COASTAL COMMUNITY GRANTS.—The Secretary*
13 *may make grants to any coastal state that is eligible under*
14 *subsection (b)—*

15 “(1) *to assist coastal communities in assessing*
16 *and managing growth, public infrastructure, and*
17 *open space needs in order to provide for sustainable*
18 *growth, resource protection and community revital-*
19 *ization;*

20 “(2) *to provide management-oriented research*
21 *and technical assistance in developing and imple-*
22 *menting community-based growth management and*
23 *resource protection strategies in qualified local enti-*
24 *ties;*

1 “(3) to fund demonstration projects which have
2 high potential for improving coastal zone manage-
3 ment at the local level;

4 “(4) to assist in the adoption of plans, strategies,
5 policies, or procedures to support local community-
6 based environmentally-protective solutions to the im-
7 pacts and pressures on coastal uses and resources
8 caused by development and sprawl that will—

9 “(A) revitalize previously developed areas;

10 “(B) undertake conservation activities and
11 projects in undeveloped and environmentally
12 sensitive areas;

13 “(C) emphasize water-dependent uses; and

14 “(D) protect coastal waters and habitats;
15 and

16 “(5) to assist coastal communities to coordinate
17 and implement approved coastal nonpoint pollution
18 control strategies and measures that reduce the causes
19 and impacts of polluted runoff on coastal waters and
20 habitats.”.

21 “(b) *ELIGIBILITY*.—To be eligible for a grant under
22 this section for a fiscal year, a coastal state shall—

23 “(1) have a management program approved
24 under section 306; and

1 “(2) *in the judgment of the Secretary, be making*
2 *satisfactory progress in activities designed to result in*
3 *significant improvement in achieving the coastal*
4 *management objectives specified in section 303(2)(A)*
5 *through (K).*

6 “(c) *ALLOCATIONS; SOURCE OF FEDERAL GRANTS;*
7 *STATE MATCHING CONTRIBUTIONS.—*

8 “(1) *ALLOCATION.—Grants under this section*
9 *shall be allocated to coastal states as provided in sec-*
10 *tion 306(c).*

11 “(2) *APPLICATION; MATCHING.—If a coastal state*
12 *chooses to fund a project under this section, then—*

13 “(A) *it shall submit to the Secretary a com-*
14 *bined application for grants under this section*
15 *and section 306; and*

16 “(B) *it shall match the amount of the grant*
17 *under this section on the basis of a total con-*
18 *tribution of section 306, 306A, and this section*
19 *so that, in aggregate, the match is 1:1.*

20 “(d) *ALLOCATION OF GRANTS TO QUALIFIED LOCAL*
21 *ENTITY.—*

22 “(1) *IN GENERAL.—With the approval of the*
23 *Secretary, the eligible coastal state may allocate to a*
24 *qualified local entity amounts received by the state*
25 *under this section.*

1 “(2) *ASSURANCES.*—A coastal state shall ensure
2 that amounts allocated by the state under paragraph
3 (1) are used by the qualified local entity in further-
4 ance of the state’s approved management program,
5 specifically furtherance of the coastal management ob-
6 jectives specified in section 303(2).

7 “(e) *ASSISTANCE.*—The Secretary shall assist eligible
8 coastal states and qualified local entities in identifying and
9 obtaining from other Federal agencies technical and finan-
10 cial assistance in achieving the objectives set forth in sub-
11 section (a).”.

12 **SEC. 212. TECHNICAL ASSISTANCE.**

13 Section 310(b) (16 U.S.C. 1456c(b)) is amended by
14 adding at the end thereof the following:

15 “(4) The Secretary may conduct a program to
16 develop and apply innovative coastal and estuarine
17 environmental technology and methodology through a
18 cooperative program. The Secretary may make extra-
19 mural grants in carrying out the purpose of this sub-
20 section.”.

21 **SEC. 213. PERFORMANCE REVIEW.**

22 Section 312(a) (16 U.S.C. 1458(a)) is amended by in-
23 serting “coordinated with National Estuarine Research Re-
24 serves in the state” after “303(2)(A) through (K),”.

1 **SEC. 214. WALTER B. JONES AWARDS.**

2 *Section 314 (16 U.S.C. 1460) is amended—*

3 *(1) by striking “shall, using sums in the Coastal*
4 *Zone Management Fund established under section*
5 *308” in subsection (a) and inserting “may, using*
6 *sums available under this Act”;*

7 *(2) by striking “field.” in subsection (a) and in-*
8 *serting the following: “field of coastal zone manage-*
9 *ment. These awards, to be known as the ‘Walter B.*
10 *Jones Awards’, may include—*

11 *“(1) cash awards in an amount not to exceed*
12 *\$5,000 each;*

13 *“(2) research grants; and*

14 *“(3) public ceremonies to acknowledge such*
15 *awards.”;*

16 *(3) by striking “shall elect annually—” in sub-*
17 *section (b) and inserting “may select annually if*
18 *funds are available under subsection (a)—”; and*

19 *(4) by striking subsection (e).*

20 **SEC. 215. NATIONAL ESTUARINE RESEARCH RESERVE SYS-**

21 **TEM.**

22 *(a) Section 315(a) (16 U.S.C. 1461(a)) is amended by*
23 *striking “consists of—” and inserting “is a network of*
24 *areas protected by Federal, state, and community partner-*
25 *ships which promotes informed management of the Nation’s*
26 *estuarine and coastal areas through interconnected pro-*

1 *grams in resource stewardship, education and training, and*
2 *scientific understanding consisting of—”.*

3 *(b) Section 315(b)(2)(C) (16 U.S.C. 1461(b)(2)(C)) is*
4 *amended by striking “public education and interpretation;*
5 *and”; and inserting “education, interpretation, training,*
6 *and demonstration projects; and”.*

7 *(c) Section 315(c) (16 U.S.C. 1461(c)) is amended—*

8 *(1) by striking “RESEARCH” in the subsection*
9 *caption and inserting “RESEARCH, EDUCATION, AND*
10 *RESOURCE STEWARDSHIP”;*

11 *(2) by striking “conduct of research” and insert-*
12 *ing “conduct of research, education, and resource*
13 *stewardship”;*

14 *(3) by striking “coordinated research” in para-*
15 *graph (1)) and inserting “coordinated research, edu-*
16 *cation, and resource stewardship”;*

17 *(4) by striking “research” before “principles” in*
18 *paragraph (2);*

19 *(5) by striking “research programs” in para-*
20 *graph (2) and inserting “research, education, and re-*
21 *source stewardship programs”;*

22 *(6) by striking “research” before “methodologies”*
23 *in paragraph (3);*

24 *(7) by striking “data,” in paragraph (3) and in-*
25 *serting “information,”;*

1 (8) by striking “research” before “results” in
2 paragraph (3);

3 (9) by striking “research purposes;” in para-
4 graph (3) and inserting “research, education, and re-
5 source stewardship purposes;”;

6 (10) by striking “research efforts” in paragraph
7 (4) and inserting “research, education, and resource
8 stewardship efforts”;

9 (11) by striking “research” in paragraph (5)
10 and inserting “research, education, and resource stew-
11 ardship”; and

12 (12) by striking “research” in the last sentence.

13 (d) Section 315(d) (16 U.S.C. 1461(d)) is amended—

14 (1) by striking “ESTUARINE RESEARCH.—” in
15 the subsection caption and inserting “ESTUARINE RE-
16 SEARCH, EDUCATION, AND RESOURCE STEWARD-
17 SHIP.—”;

18 (2) by striking “research purposes” and insert-
19 ing “research, education, and resource stewardship
20 purposes”;

21 (3) by striking paragraph (1) and inserting the
22 following:

23 “(1) giving reasonable priority to research, edu-
24 cation, and stewardship activities that use the System

1 *in conducting or supporting activities relating to es-*
2 *tuaries; and”;*

3 *(4) by striking “research.” in paragraph (2) and*
4 *inserting “research, education, and resource steward-*
5 *ship activities.”; and*

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

7 *“(3) establishing partnerships with other Federal*
8 *and state estuarine management programs to coordi-*
9 *nate and collaborate on estuarine research.”.*

10 *(e) Section 315(e) (16 U.S.C. 1461(e)) is amended—*

11 *(1) by striking “reserve,” in paragraph (1)(A)(i)*
12 *and inserting “reserve; and”;*

13 *(2) by striking “and constructing appropriate*
14 *reserve facilities, or” in paragraph (1)(A)(ii) and in-*
15 *serting “including resource stewardship activities and*
16 *constructing reserve facilities; and”;*

17 *(3) by striking paragraph (1)(A)(iii);*

18 *(4) by striking paragraph (1)(B) and inserting*
19 *the following:*

20 *“(B) to any coastal state or public or pri-*
21 *vate person for purposes of—*

22 *“(i) supporting research and moni-*
23 *toring associated with a national estuarine*
24 *reserve that are consistent with the research*
25 *guidelines developed under subsection (c); or*

1 “(ii) conducting educational, interpre-
2 tive, or training activities for a national es-
3 tuarine reserve that are consistent with the
4 education guidelines developed under sub-
5 section (c).”;

6 (5) by striking “therein or \$5,000,000, whichever
7 amount is less.” in paragraph (3)(A) and inserting
8 “therein. Non-Federal costs associated with the pur-
9 chase of any lands and waters, or interests therein,
10 which are incorporated into the boundaries of a re-
11 serve up to 5 years after the costs are incurred, may
12 be used to match the Federal share.”;

13 (6) by striking “and (iii)” in paragraph (3)(B);

14 (7) by striking “paragraph (1)(A)(iii)” in para-
15 graph (3)(B) and inserting “paragraph (1)(B)”;

16 (8) by striking “entire System.” in paragraph
17 (3)(B) and inserting “System as a whole.”; and

18 (9) by adding at the end thereof the following:

19 “(4) The Secretary may—

20 “(A) enter into cooperative agreements, fi-
21 nancial agreements, grants, contracts, or other
22 agreements with any nonprofit organization, au-
23 thorizing the organization to solicit donations to
24 carry out the purposes and policies of this sec-
25 tion, other than general administration of re-

1 *serves or the System and which are consistent*
2 *with the purposes and policies of this section;*
3 *and*

4 *“(B) accept donations of funds and services*
5 *for use in carrying out the purposes and policies*
6 *of this section, other than general administration*
7 *of reserves or the System and which are con-*
8 *sistent with the purposes and policies of this sec-*
9 *tion.*

10 *Donations accepted under this section shall be consid-*
11 *ered as a gift or bequest to or for the use of the United*
12 *States for the purpose of carrying out this section.”.*

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

16 **SEC. 216. COASTAL ZONE MANAGEMENT REPORTS.**

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

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

20 *(2) by striking “zone and an evaluation of the*
21 *effectiveness of financial assistance under section 308*
22 *in dealing with such consequences;” and inserting*
23 *“zone;” in the provision designated as (10) in sub-*
24 *section (a);*

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

3 (4) by striking “Secretary” in the first sentence
4 of subsection (c)(1) and inserting “Secretary, in con-
5 sultation with coastal states, and with the participa-
6 tion of affected Federal agencies,”;

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

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

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

19 **SEC. 217. AUTHORIZATION OF APPROPRIATIONS.**

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

21 (1) by striking paragraphs (1) and (2) of sub-
22 section (a) and inserting the following:

23 “(1) for grants under sections 306, 306A, and
24 309—

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

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

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

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

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

5 “(2) for grants under section 309A—

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

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

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

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

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

11 of which \$10,000,000, or 35 percent, whichever is less,

12 shall be for purposes set forth in section 309A(a)(5);

13 “(3) for grants under section 315—

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

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

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

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

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

19 “(4) for grants to fund construction projects at

20 estuarine reserves designated under section 315,

21 \$12,000,000 for each of fiscal years 2000, 2001, 2002,

22 2003, and 2004; and

23 “(5) for costs associated with administering this

24 title, \$6,500,000 for fiscal year 2000 and such sums

25 as are necessary for fiscal years 2001–2004.”;

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

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

7 (4) *by striking “under the section for such re-*
8 *verted amount was originally made available.” in*
9 *subsection (c) and inserting “to states under this*
10 *Act.”; and*

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

12 “(d) *PURCHASE OF OTHERWISE UNAVAILABLE FED-*
13 *ERAL PRODUCTS AND SERVICES.—Federal funds allocated*
14 *under this title may be used by grantees to purchase Federal*
15 *products and services not otherwise available.*

16 “(e) *RESTRICTION ON USE OF AMOUNTS FOR PRO-*
17 *GRAM, ADMINISTRATIVE, OR OVERHEAD COSTS.—Except*
18 *for funds appropriated under subsection (a)(5), amounts*
19 *appropriated under this section shall be available only for*
20 *grants to states and shall not be available for other pro-*
21 *gram, administrative, or overhead costs of the National Oce-*
22 *anic and Atmospheric Administration or the Department*
23 *of Commerce.”.*

1 **SEC. 218. SENSE OF CONGRESS.**

2 *It is the sense of Congress that the Undersecretary for*
 3 *Oceans and Atmosphere should re-evaluate the calculation*
 4 *of shoreline mileage used in the distribution of funding*
 5 *under the Coastal Zone Management Program to ensure eq-*
 6 *uitable treatment of all regions of the coastal zone, includ-*
 7 *ing the Southeastern States and the Great Lakes States.*

8 **TITLE III—ATLANTIC FISHERIES**
 9 **Subtitle A—Reauthorization of At-**
 10 **lantic Striped Bass Conservation**
 11 **Act**

12 **SEC. 301. REAUTHORIZATION OF ATLANTIC STRIPED BASS**
 13 **CONSERVATION ACT.**

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

16 *“(a) AUTHORIZATION.—For each of fiscal years 2001,*
 17 *2002, and 2003, there are authorized to be appropriated*
 18 *to carry out this Act—*

19 *“(1) \$1,000,000 to the Secretary of Commerce;*
 20 *and*

21 *“(2) \$250,000 to the Secretary of the Interior.”.*

22 **SEC. 302. POPULATION STUDY OF STRIPED BASS .**

23 *(a) STUDY.—The Secretaries (as that term is defined*
 24 *in the Atlantic Striped Bass Conservation Act), in consulta-*
 25 *tion with the Atlantic States Marine Fisheries Commission,*
 26 *shall conduct a study to determine if the distribution of*

1 *year classes in the Atlantic striped bass population is ap-*
2 *propriate for maintaining adequate recruitment and sus-*
3 *tainable fishing opportunities. In conducting the study, the*
4 *Secretaries shall consider—*

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

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

10 (b) *REPORT.—Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretaries, in consultation*
12 *with the Atlantic States Marine Fisheries Commission,*
13 *shall submit to the Committee on Resources of the House*
14 *of Representatives and the Committee on Commerce,*
15 *Science, and Transportation and the Committee on Envi-*
16 *ronment and Public Works of the Senate the results of the*
17 *study and a long-term plan to ensure a balanced and*
18 *healthy population structure of Atlantic striped bass, in-*
19 *cluding older fish. The report shall include information*
20 *regarding—*

21 (1) *the structure of the Atlantic striped bass pop-*
22 *ulation required to maintain adequate recruitment*
23 *and sustainable fishing opportunities; and*

1 (2) *recommendations for measures necessary to*
2 *achieve and maintain the population structure de-*
3 *scribed in paragraph (1).*

4 (c) *AUTHORIZATION.*—*There are authorized to be ap-*
5 *propriated to the Secretary of Commerce \$250,000 to carry*
6 *out this section.*

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

9 ***SEC. 331. SHORT TITLE.***

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

12 ***SEC. 332. REAUTHORIZATION OF ATLANTIC COASTAL FISH-***
13 ***ERIES COOPERATIVE MANAGEMENT ACT.***

14 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Section*
15 *811 of the Atlantic Coastal Fisheries Cooperative Manage-*
16 *ment Act (16 U.S.C. 5108) is amended to read as follows:*

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

18 ***“(a) IN GENERAL.***—*To carry out this title, there are*
19 *authorized to be appropriated—*

20 ***“(1) \$10,000,000 for each of fiscal year 2001;***

21 ***“(2) \$12,000,000 for each of fiscal year 2002;***

22 ***“(3) \$14,000,000 for each of fiscal year 2003;***

23 ***“(4) \$16,000,000 for each of fiscal year 2004;***

24 *and*

25 ***“(5) \$18,000,000 for each of fiscal year 2005;***

1 “(b) *COOPERATIVE STATISTICS PROGRAM.*—Amounts
2 authorized under subsection (a) may be used by the Sec-
3 retary to support the Commission’s cooperative statistics
4 program.”.

5 (b) *TECHNICAL CORRECTIONS.*—

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

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

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

12 (2) *AMENDMENTS TO REPEAL NOT AFFECTED.*—

13 The amendments made by paragraph (1)(B) shall not
14 affect any amendment or repeal made by the sections
15 struck by that paragraph.

16 (3) *SHORT TITLE REFERENCES.*—Such Act is
17 further amended by striking “Magnuson Fishery”
18 each place it appears and inserting “Magnuson-Ste-
19 vens Fishery”.

20 (c) *REPORTS.*—

21 (1) *ANNUAL REPORT TO THE SECRETARY.*—The
22 Secretary shall require, as a condition of providing
23 financial assistance under this title, that the Commis-
24 sion and each State receiving such assistance submit

1 to the Secretary an annual report that provides a de-
2 tailed accounting of the use the assistance.

3 (2) *BIENNIAL REPORTS TO THE CONGRESS.*—The
4 Secretary shall submit biennial reports to the Com-
5 mittee on Resources of the House of Representatives
6 and the Committee on Commerce, Science, and Trans-
7 portation of the Senate on the use of Federal assist-
8 ance provided to the Commission and the States
9 under this title. Each biennial report shall evaluate
10 the success of such assistance in implementing this
11 title.

12 **Subtitle C—Atlantic Tunas** 13 **Management**

14 **SEC. 361. USE OF AIRCRAFT PROHIBITED.**

15 Section 7(a) of the Atlantic Tunas Convention Act of
16 1975 (16 U.S.C. 971e(a)) is amended—

17 (1) by striking “or” after the semicolon in para-
18 graph (1);

19 (2) by striking “fish.” in paragraph (2) and in-
20 serting “fish; or”; and

21 (3) by adding at the end the following:

22 “(3) for any person, other than a person holding
23 a valid Federal permit in the purse seine category—

1 “(A) to use an aircraft to locate or other-
2 wise assist in fishing for, catching, or retaining
3 Atlantic bluefin tuna; or

4 “(B) to catch, possess, or retain Atlantic
5 bluefin tuna located by use of an aircraft.”.

6 **TITLE IV—SHARK FINNING**

7 **SEC. 401. SHORT TITLE.**

8 This title may be cited as the “Shark Conservation
9 Act”.

10 **SEC. 402. PURPOSE.**

11 The purpose of this title is to eliminate shark-finning
12 by addressing the problem comprehensively at both the na-
13 tional and international levels.

14 **SEC. 403. PROHIBITION ON REMOVING SHARK FIN AND DIS-** 15 **CARDING SHARK CARCASS AT SEA.**

16 Section 307(1) of the Magnuson-Stevens Fishery Con-
17 servation and Management Act (16 U.S.C. 1857(1)) is
18 amended—

19 (1) by striking “or” after the semicolon in sub-
20 paragraph (N);

21 (2) by striking “section 302(j)(7)(A).” in sub-
22 paragraph (O) and inserting “section 302(j)(7)(A);
23 or”; and

24 (3) by adding at the end the following:

1 “(P)(i) to remove any of the fins of a shark
2 (including the tail) and discard the carcass of
3 the shark at sea;

4 “(ii) to have custody, control, or possession
5 of any such fin aboard a fishing vessel without
6 the corresponding carcass; or

7 “(iii) to land any such fin without the cor-
8 responding carcass.

9 “*For purposes of subparagraph (P) there is a rebut-*
10 *table presumption that any shark fins landed from a*
11 *fishing vessel or found on board a fishing vessel were*
12 *taken, held, or landed in violation of subparagraph*
13 *(P) if the total weight of shark fins landed or found*
14 *on board exceeds 5 percent of the total weight of shark*
15 *carcasses landed or found on board.”.*

16 **SEC. 404. REGULATIONS.**

17 *No later than 180 days after the date of enactment of*
18 *this Act, the Secretary of Commerce shall promulgate regu-*
19 *lations implementing the provisions of section 307(1)(P) of*
20 *the Magnuson-Stevens Fishery Conservation and Manage-*
21 *ment Act (16 U.S.C. 1857(1)(P)), as added by section 403*
22 *of this title.*

23 **SEC. 405. INTERNATIONAL NEGOTIATIONS.**

24 *The Secretary of Commerce, acting through the Sec-*
25 *retary of State, shall—*

1 (1) *initiate discussions as soon as possible for the*
2 *purpose of developing bilateral or multilateral agree-*
3 *ments with other nations for the prohibition on shark-*
4 *finning;*

5 (2) *initiate discussions as soon as possible with*
6 *all foreign governments which are engaged in, or*
7 *which have persons or companies engaged in shark-*
8 *finning, for the purposes of—*

9 (A) *collecting information on the nature*
10 *and extent of shark-finning by such persons and*
11 *the landing or transshipment of shark fins*
12 *through foreign ports; and*

13 (B) *entering into bilateral and multilateral*
14 *treaties with such countries to protect such spe-*
15 *cies;*

16 (3) *seek agreements calling for an international*
17 *ban on shark-finning and other fishing practices ad-*
18 *versely affecting these species through the United Na-*
19 *tions, the Food and Agriculture Organization's Com-*
20 *mittee on Fisheries, and appropriate regional fishery*
21 *management bodies;*

22 (4) *initiate the amendment of any existing inter-*
23 *national treaty for the protection and conservation of*
24 *species of sharks to which the United States is a*

1 *party in order to make such treaty consistent with the*
2 *purposes and policies of this section;*

3 *(5) urge other governments involved in fishing*
4 *for or importation of shark or shark products to fulfill*
5 *their obligations to collect biological data, such as*
6 *stock abundance and by-catch levels, as well as trade*
7 *data, on shark species as called for in the 1995 Reso-*
8 *lution on Cooperation with FAO with Regard to*
9 *study on the Status of Sharks and By-Catch of Shark*
10 *Species; and*

11 *(6) urge other governments to prepare and sub-*
12 *mit their respective National Plan of Action for the*
13 *Conservation and Management of Sharks to the 2001*
14 *session of the FAO Committee on Fisheries, as set*
15 *forth in the International Plan of Action for the Con-*
16 *servation and Management of Sharks.*

17 **SEC. 406. REPORT TO CONGRESS.**

18 *The Secretary of Commerce, in consultation with the*
19 *Secretary of State, shall provide to Congress, by not later*
20 *than 1 year after the date of enactment of this Act, and*
21 *every year thereafter, a report which—*

22 *(1) includes a list that identifies nations whose*
23 *vessels conduct shark-finning and details the extent of*
24 *the international trade in shark fins, including esti-*
25 *mates of value and information on harvesting of*

1 *shark fins, and landings or transshipment of shark*
2 *fins through foreign ports;*

3 *(2) describes the efforts taken to carry out this*
4 *title, and evaluates the progress of those efforts;*

5 *(3) sets forth a plan of action to adopt inter-*
6 *national measures for the conservation of sharks; and*

7 *(4) includes recommendations for measures to*
8 *ensure that United States actions are consistent with*
9 *national, international, and regional obligations re-*
10 *lating to shark populations, including those listed*
11 *under the Convention on International Trade in En-*
12 *dangered Species of Wild Flora and Fauna.*

13 **SEC. 407. RESEARCH.**

14 *The Secretary of Commerce, subject to the availability*
15 *of appropriations authorized by section 410, shall establish*
16 *a research program for Pacific and Atlantic sharks to en-*
17 *gage in the following data collection and research:*

18 *(1) The collection of data to support stock assess-*
19 *ments of shark populations subject to incidental or di-*
20 *rected harvesting by commercial vessels, giving pri-*
21 *ority to species according to vulnerability of the spe-*
22 *cies to fishing gear and fishing mortality, and its*
23 *population status.*

1 (2) *Research to identify fishing gear and prac-*
2 *tices that prevent or minimize incidental catch of*
3 *sharks in commercial and recreational fishing.*

4 (3) *Research on fishing methods that will ensure*
5 *maximum likelihood of survival of captured sharks*
6 *after release.*

7 (4) *Research on methods for releasing sharks*
8 *from fishing gear that minimize risk of injury to fish-*
9 *ing vessel operators and crews.*

10 (5) *Research on methods to maximize the utiliza-*
11 *tion of, and funding to develop the market for, sharks*
12 *not taken in violation of a fishing management plan*
13 *approved under section 303 or of section 307(1)(P) of*
14 *the Magnuson-Stevens Fishery Conservation and*
15 *Management Act (16 U.S.C. 1853, 1857(1)(P)).*

16 (6) *Research on the nature and extent of the har-*
17 *vest of sharks and shark fins by foreign fleets and the*
18 *international trade in shark fins and other shark*
19 *products.*

20 **SEC. 408. WESTERN PACIFIC LONGLINE FISHERIES COOP-**
21 **ERATIVE RESEARCH PROGRAM.**

22 *The National Marine Fisheries Service, in consulta-*
23 *tion with the Western Pacific Fisheries Management Coun-*
24 *cil, shall initiate a cooperative research program with the*
25 *commercial longlining industry to carry out activities con-*

1 *sistent with this title, including research described in sec-*
2 *tion 407 of this title. The service may initiate such shark*
3 *cooperative research programs upon the request of any other*
4 *fishery management council.*

5 **SEC. 409. SHARK-FINNING DEFINED.**

6 *In this Act, the term “shark-finning” means the taking*
7 *of a shark, removing the fin or fins (whether or not includ-*
8 *ing the tail) of a shark, and returning the remainder of*
9 *the shark to the sea.*

10 **SEC. 410. AUTHORIZATION OF APPROPRIATIONS.**

11 *There are authorized to be appropriated to the Sec-*
12 *retary of Commerce for fiscal years 2001 through 2005 such*
13 *sums as are necessary to carry out this title.*

14 **TITLE V—EXTENSION OF PERIOD**
15 **FOR REIMBURSEMENT UNDER**
16 **FISHERMEN’S PROTECTIVE**
17 **ACT OF 1967**

18 **SEC. 501. SHORT TITLE.**

19 *This title may be cited as the “Fishermen’s Protective*
20 *Act Amendments of 2000”.*

1 **SEC. 502. EXTENSION OF PERIOD FOR REIMBURSEMENT**
2 **UNDER FISHERMEN'S PROTECTIVE ACT OF**
3 **1967.**

4 (a) *IN GENERAL.*—Section 7(e) of the Fishermen's
5 Protective Act of 1967 (22 U.S.C. 1977(e)) is amended by
6 striking "2000" and inserting "2003".

7 (b) *CLERICAL AMENDMENT.*—Section 7(a)(3) of the
8 Fishermen's Protective Act of 1967 (22 U.S.C. 1977(a)(3))
9 is amended by striking "Secretary of the Interior" and in-
10 serting "Secretary of Commerce".

11 **TITLE VI—YUKON RIVER**
12 **SALMON**

13 **SEC. 601. SHORT TITLE.**

14 *This title may be cited as the "Yukon River Salmon*
15 *Act of 2000".*

16 **SEC. 602. YUKON RIVER SALMON PANEL.**

17 (a) *ESTABLISHMENT.*—

18 (1) *IN GENERAL.*—There shall be a Yukon River
19 Salmon Panel (in this title referred to as the
20 "Panel").

21 (2) *FUNCTIONS.*—The Panel shall—

22 (A) advise the Secretary of State regarding
23 the negotiation of any international agreement
24 with Canada relating to management of salmon
25 stocks originating from the Yukon River in Can-
26 ada;

1 (B) advise the Secretary of the Interior re-
2 garding restoration and enhancement of such
3 salmon stocks; and

4 (C) perform other functions relating to con-
5 servation and management of such salmon stocks
6 as authorized by this title or any other law.

7 (3) *DESIGNATION AS UNITED STATES REP-*
8 *RESENTATIVES ON BILATERAL BODY.*—The Secretary
9 of State may designate the members of the Panel to
10 be the United States representatives on any successor
11 to the panel established by the interim agreement for
12 the conservation of salmon stocks originating from the
13 Yukon River in Canada agreed to through an ex-
14 change of notes between the Government of the United
15 States and the Government of Canada on February 3,
16 1995, if authorized by any agreement establishing
17 such successor.

18 (b) *MEMBERSHIP.*—

19 (1) *IN GENERAL.*—The Panel shall be comprised
20 of six members, as follows:

21 (A) One member who is an official of the
22 United States Government with expertise in
23 salmon conservation and management, who shall
24 be appointed by the Secretary of State.

1 (B) *One member who is an official of the*
2 *State of Alaska with expertise in salmon con-*
3 *servation and management, who shall be ap-*
4 *pointed by the Governor of Alaska.*

5 (C) *Four members who are knowledgeable*
6 *and experienced with regard to the salmon fish-*
7 *eries on the Yukon River, who shall be appointed*
8 *by the Secretary of State.*

9 (2) *APPOINTEES FROM ALASKA.—*

10 (A) *The Secretary of State shall appoint the*
11 *members under paragraph (1)(C) from a list of*
12 *at least three individuals nominated for each po-*
13 *sition by the Governor of Alaska.*

14 (B) *In making the nominations, the Gov-*
15 *ernor of Alaska may consider suggestions for*
16 *nominations provided by organizations with ex-*
17 *pertise in Yukon River salmon fisheries.*

18 (C) *The Governor of Alaska may make ap-*
19 *propriate nominations to allow for appointment*
20 *of, and the Secretary of State shall appoint,*
21 *under paragraph (1)(C)—*

22 (i) *at least one member who is quali-*
23 *fied to represent the interests of Lower*
24 *Yukon River fishing districts; and*

1 (ii) at least one member who is quali-
2 fied to represent the interests of Upper
3 Yukon River fishing districts.

4 (D) At least one of the members appointed
5 under paragraph (1)(C) shall be an Alaska Na-
6 tive.

7 (3) ALTERNATES.—

8 (A) The Secretary of State may designate
9 an alternate Panel member for each Panel mem-
10 ber the Secretary appoints under paragraphs
11 (1)(A) and (C), who meets the same qualifica-
12 tions, to serve in the absence of the Panel mem-
13 ber.

14 (B) The Governor of the State of Alaska
15 may designate an alternative Panel member for
16 the Panel member appointed under paragraph
17 (1)(B), who meets the same qualifications, to
18 serve in the absence of that Panel member.

19 (c) TERM LENGTH.—Panel members and alternate
20 Panel members shall serve four-year terms. Any individual
21 appointed to fill a vacancy occurring before the expiration
22 of any term shall be appointed for the remainder of that
23 term.

24 (d) REAPPOINTMENT.—Panel members and alternate
25 Panel members shall be eligible for reappointment.

1 (e) *DECISIONS.*—*Decisions of the Panel shall be made*
2 *by the consensus of the Panel members appointed under sub-*
3 *paragraphs (B) and (C) of subsection (b)(1).*

4 (f) *CONSULTATION.*—*In carrying out their functions,*
5 *Panel members may consult with such other interested par-*
6 *ties as they consider appropriate.*

7 **SEC. 603. ADVISORY COMMITTEE.**

8 (a) *APPOINTMENTS.*—*The Governor of Alaska may es-*
9 *tablish and appoint an advisory committee (in this title*
10 *referred to as the “advisory committee”) of not less than*
11 *eight, but not more than 12, individuals who are knowledge-*
12 *able and experienced with regard to the salmon fisheries*
13 *on the Yukon River. At least two of the advisory committee*
14 *members shall be Alaska Natives. Members of the advisory*
15 *committee may attend all meetings of the Panel, and shall*
16 *be given the opportunity to examine and be heard on any*
17 *matter under consideration by the Panel.*

18 (b) *COMPENSATION.*—*The members of such advisory*
19 *committee shall receive no compensation for their services.*

20 (c) *TERM LENGTH.*—*Members of such advisory com-*
21 *mittee shall serve two-year terms. Any individual ap-*
22 *pointed to fill a vacancy occurring before the expiration of*
23 *any term shall be appointed for the remainder of that term.*

24 (d) *REAPPOINTMENT.*—*Members of such advisory com-*
25 *mittee shall be eligible for reappointment.*

1 **SEC. 604. EXEMPTION.**

2 *The Federal Advisory Committee Act (5 U.S.C. App.)*
3 *shall not apply to the Panel or to the advisory committee.*

4 **SEC. 605. AUTHORITY AND RESPONSIBILITY.**

5 (a) *RESPONSIBLE MANAGEMENT ENTITY.*—*The State*
6 *of Alaska Department of Fish and Game shall be the respon-*
7 *sible management entity for the United States for the pur-*
8 *poses of any agreement with Canada regarding manage-*
9 *ment of salmon stocks originating from the Yukon River*
10 *in Canada.*

11 (b) *EFFECT OF DESIGNATION.*—*The designation under*
12 *subsection (a) shall not be considered to expand, diminish,*
13 *or otherwise change the management authority of the State*
14 *of Alaska or the Federal Government with respect to fishery*
15 *resources.*

16 (c) *RECOMMENDATIONS OF PANEL.*—*In addition to*
17 *recommendations made by the Panel to the responsible*
18 *management entities in accordance with any agreement*
19 *with Canada regarding management of salmon stocks origi-*
20 *nating from the Yukon River in Canada, the Panel may*
21 *make recommendations concerning the conservation and*
22 *management of salmon originating in the Yukon River to*
23 *the Department of the Interior, the Department of Com-*
24 *merce, the Department of State, the North Pacific Fishery*
25 *Management Council, and other Federal or State entities*

1 *as appropriate. Recommendations by the Panel shall be ad-*
2 *visory in nature.*

3 **SEC. 606. ADMINISTRATIVE MATTERS.**

4 (a) *COMPENSATION.*—*Panel members and alternate*
5 *Panel members who are not State or Federal employees*
6 *shall receive compensation at the daily rate of GS–15 of*
7 *the General Schedule when engaged in the actual perform-*
8 *ance of duties.*

9 (b) *TRAVEL AND OTHER NECESSARY EXPENSES.*—
10 *Travel and other necessary expenses shall be paid by the*
11 *Secretary of the Interior for all Panel members, alternate*
12 *Panel members, and members of the advisory committee*
13 *when such members are engaged in the actual performance*
14 *of duties for the Panel or advisory committee.*

15 (c) *TREATMENT AS FEDERAL EMPLOYEES.*—*Except*
16 *for officials of the United States Government, all Panel*
17 *members, alternate Panel members, and members of the ad-*
18 *visory committee shall not be considered to be Federal em-*
19 *ployees while engaged in the actual performance of duties,*
20 *except for the purposes of injury compensation or tort*
21 *claims liability as provided in chapter 81 of title 5, United*
22 *States Code, and chapter 71 of title 28, United States Code.*

1 **SEC. 607. YUKON RIVER SALMON STOCK RESTORATION AND**
2 **ENHANCEMENT PROJECTS.**

3 (a) *IN GENERAL.*—*The Secretary of the Interior, in*
4 *consultation with the Secretary of Commerce, may carry*
5 *out projects to restore or enhance salmon stocks originating*
6 *from the Yukon River in Canada and the United States.*

7 (b) *COOPERATION WITH CANADA.*—*If there is in effect*
8 *an agreement between the Government of the United States*
9 *and the Government of Canada for the conservation of salm-*
10 *on stocks originating from the Yukon River in Canada that*
11 *includes provisions governing projects authorized under this*
12 *section, then—*

13 (1) *projects under this section shall be carried*
14 *out in accordance with that agreement; and*

15 (2) *amounts available for projects under this*
16 *section—*

17 (A) *shall be expended in accordance with*
18 *the agreement; and*

19 (B) *may be deposited in any joint account*
20 *established by the agreement to fund such*
21 *projects.*

22 **SEC. 608. AUTHORIZATION OF APPROPRIATIONS.**

23 *There are authorized to be appropriated to the Sec-*
24 *retary of the Interior to carry out this title \$4,000,000 for*
25 *each of fiscal years 2000, 2001, 2002, and 2003, of which—*

1 (1) *such sums as are necessary shall be available*
2 *each fiscal year for travel expenses of Panel members,*
3 *alternate Panel members, United States members of*
4 *the Joint Technical Committee established by para-*
5 *graph C.2 of the memorandum of understanding con-*
6 *cerning the Pacific Salmon Treaty between the Gov-*
7 *ernment of the United States and the Government of*
8 *Canada (recorded January 28, 1985), and members of*
9 *the advisory committee, in accordance with Federal*
10 *Travel Regulations and sections 5701, 5702, 5704*
11 *through 5708, and 5731 of title 5, United States*
12 *Code;*

13 (2) *such sums as are necessary shall be available*
14 *for the United States share of expenses incurred by*
15 *the Joint Technical Committee and any panel estab-*
16 *lished by any agreement between the Government of*
17 *the United States and the Government of Canada for*
18 *restoration and enhancement of salmon originating in*
19 *Canada;*

20 (3) *up to \$3,000,000 shall be available each fis-*
21 *cal year for activities by the Department of the Inte-*
22 *rior and the Department of Commerce for survey, res-*
23 *toration, and enhancement activities related to salm-*
24 *on stocks originating from the Yukon River in Can-*
25 *ada, of which up to \$1,200,000 shall be available each*

1 *fiscal year for Yukon River salmon stock restoration*
2 *and enhancement projects under section 507(b); and*
3 *(4) \$600,000 shall be available each fiscal year*
4 *for cooperative salmon research and management*
5 *projects in the portion of the Yukon River drainage*
6 *located in the United States that are recommended by*
7 *the Panel.*

8 **TITLE VII—FISHERY**
9 **INFORMATION ACQUISITION**

10 **SEC. 701. SHORT TITLE.**

11 *This title may be cited as the “Fisheries Survey Vessel*
12 *Authorization Act of 2000”.*

13 **SEC. 702. ACQUISITION OF FISHERY SURVEY VESSELS.**

14 *(a) IN GENERAL.—The Secretary of Commerce, subject*
15 *to the availability of appropriations, may in accordance*
16 *with this section acquire, by purchase, lease, lease-purchase,*
17 *or charter, and equip up to six fishery survey vessels in*
18 *accordance with this section.*

19 *(b) VESSEL REQUIREMENTS.—Any vessel acquired*
20 *and equipped under this section must—*

21 *(1) be capable of—*

22 *(A) staying at sea continuously for at least*
23 *30 days;*

24 *(B) conducting fishery population surveys*
25 *using hydroacoustic, longlining, deep water, and*

1 *pelagic trawls, and other necessary survey tech-*
2 *niques; and*

3 *(C) conducting other work necessary to pro-*
4 *vide fishery managers with the accurate and*
5 *timely data needed to prepare and implement*
6 *fishery management plans; and*

7 *(2) have a hull that meets the International*
8 *Council for Exploration of the Sea standard regard-*
9 *ing acoustic quietness.*

10 *(c) FISHERIES RESEARCH VESSEL PROCUREMENT.—*
11 *Notwithstanding section 644 of title 15, United States Code,*
12 *and section 19.502–2 of title 48, Code of Federal Regula-*
13 *tions, the Secretary of Commerce shall seek to procure Fish-*
14 *eries Research Vessels through full and open competition*
15 *from responsible United States shipbuilding companies ir-*
16 *respective of size.*

17 *(d) AUTHORIZATION.—To carry out this section there*
18 *are authorized to be appropriated to the Secretary of Com-*
19 *merce \$60,000,000 for each of fiscal years 2002, 2003, and*
20 *2004.*

21 **TITLE VIII—CORAL REEF**
22 **CONSERVATION**

23 **SEC. 801. SHORT TITLE.**

24 *This Act may be cited as the “Coral Reef Conservation*
25 *Act of 2000”.*

1 **SEC. 802. PURPOSES.**

2 *The purposes of this Act are:*

3 *(1) to preserve, sustain, and restore the condition*
4 *of coral reef ecosystems;*

5 *(2) to promote the wise management and sus-*
6 *tainable use of coral reef ecosystems to benefit local*
7 *communities and the Nation;*

8 *(3) to develop sound scientific information on the*
9 *condition of coral reef ecosystems and the threats to*
10 *such ecosystems;*

11 *(4) to assist in the preservation of coral reefs by*
12 *supporting conservation programs, including projects*
13 *that involve affected local communities and non-*
14 *governmental organizations;*

15 *(5) to provide financial resources for those pro-*
16 *grams and projects; and*

17 *(6) to establish a formal mechanism for col-*
18 *lecting and allocating monetary donations from the*
19 *private sector to be used for coral reef conservation*
20 *projects.*

21 **SEC. 803. NATIONAL CORAL REEF ACTION STRATEGY.**

22 *(a) IN GENERAL.—Not later than 180 days after the*
23 *date of enactment of this Act, the Administrator shall sub-*
24 *mit to the Committee on Commerce, Science, and Transpor-*
25 *tation of the Senate and to the Committee on Resources of*
26 *the House of Representatives and publish in the Federal*

1 *Register a national coral reef action strategy, consistent*
2 *with the purposes of this Act. The Administrator shall peri-*
3 *odically review and revise the strategy as necessary. In de-*
4 *veloping this national strategy, the Secretary may consult*
5 *with the Coral Reef Task Force established under Executive*
6 *Order 13089 (June 11, 1998).*

7 **(b) GOALS AND OBJECTIVES.**—*The action strategy*
8 *shall include a statement of goals and objectives as well as*
9 *an implementation plan, including a description of the*
10 *funds obligated each fiscal year to advance coral reef con-*
11 *servation. The action strategy and implementation plan*
12 *shall include discussion of—*

13 (1) *coastal uses and management;*

14 (2) *water and air quality;*

15 (3) *mapping and information management;*

16 (4) *research, monitoring, and assessment;*

17 (5) *international and regional issues;*

18 (6) *outreach and education;*

19 (7) *local strategies developed by the States or*
20 *Federal agencies, including regional fishery manage-*
21 *ment councils; and*

22 (8) *conservation, including how the use of ma-*
23 *rine protected areas to serve as replenishment zones*
24 *will be developed consistent with local practices and*
25 *traditions.*

1 **SEC. 804. CORAL REEF CONSERVATION PROGRAM.**

2 (a) *GRANTS.*—*The Secretary, through the Adminis-*
3 *trator and subject to the availability of funds, shall provide*
4 *grants of financial assistance for projects for the conserva-*
5 *tion of coral reefs, hereafter called coral conservation*
6 *projects, for proposals approved by the Administrator in*
7 *accordance with this section.*

8 (b) *MATCHING REQUIREMENTS.*—

9 (1) *50 PERCENT.*—*Except as provided in para-*
10 *graph (2), Federal funds for any coral conservation*
11 *project under this section may not exceed 50 percent*
12 *of the total cost of such project. For purposes of this*
13 *paragraph, the non-Federal share of project costs may*
14 *be provided by in-kind contributions and other*
15 *noncash support.*

16 (2) *WAIVER.*—*The Administrator may waive all*
17 *or part of the matching requirement under paragraph*
18 *(1) if the Administrator determines that no reason-*
19 *able means are available through which applicant can*
20 *meet the matching requirement and the probable ben-*
21 *efit of such project outweighs the public interest in*
22 *such matching requirement.*

23 (c) *ELIGIBILITY.*—*Any natural resource management*
24 *authority of a State or other government authority with*
25 *jurisdiction over coral reefs or whose activities directly or*
26 *indirectly affect coral reefs, or coral reef ecosystems, or edu-*

1 *cational or non-governmental institutions with dem-*
2 *onstrated expertise in the conservation of coral reefs, may*
3 *submit to the Administrator a coral conservation proposal*
4 *under subsection (e) of this section.*

5 *(d) GEOGRAPHIC AND BIOLOGICAL DIVERSITY.—The*
6 *Administrator shall ensure that funding for grants awarded*
7 *under subsection (b) of this section during a fiscal year are*
8 *distributed in the following manner—*

9 *(1) no less than 40 percent of funds available*
10 *shall be awarded for coral conservation projects in the*
11 *Pacific Ocean within the maritime areas and zones*
12 *subject to the jurisdiction or control of the United*
13 *States;*

14 *(2) no less than 40 percent of the funds available*
15 *shall be awarded for coral conservation projects in the*
16 *Atlantic Ocean, the Gulf of Mexico, and the Carib-*
17 *bean Sea within the maritime areas and zones subject*
18 *to the jurisdiction or control of the United States; and*

19 *(3) remaining funds shall be awarded for*
20 *projects that address emerging priorities or threats,*
21 *including international priorities or threats, identi-*
22 *fied by the Administrator. When identifying emerging*
23 *threats or priorities, the Administrator may consult*
24 *with the Coral Reef Task Force.*

1 (e) *PROJECT PROPOSALS.*—Each proposal for a grant
2 under this section shall include the following:

3 (1) *The name of the individual or entity respon-*
4 *sible for conducting the project.*

5 (2) *A description of the qualifications of the in-*
6 *dividuals who will conduct the project.*

7 (3) *A succinct statement of the purposes of the*
8 *project.*

9 (4) *An estimate of the funds and time required*
10 *to complete the project.*

11 (5) *Evidence of support for the project by appro-*
12 *priate representatives of States or other government*
13 *jurisdictions in which the project will be conducted.*

14 (6) *Information regarding the source and*
15 *amount of matching funding available to the appli-*
16 *cant.*

17 (7) *A description of how the project meets one or*
18 *more of the criteria in subsection (g) of this section.*

19 (8) *Any other information the Administrator*
20 *considers to be necessary for evaluating the eligibility*
21 *of the project for funding under this Act.*

22 (f) *PROJECT REVIEW AND APPROVAL.*—

23 (1) *IN GENERAL.*—The Administrator shall re-
24 view each coral conservation project proposal to deter-

1 mine if it meets the criteria set forth in subsection
2 (g).

3 (2) *REVIEW; APPROVAL OR DISAPPROVAL.*—Not
4 later than 6 months after receiving a project proposal
5 under this section, the Administrator shall—

6 (A) request and consider written comments
7 on the proposal from each Federal agency, State
8 government, or other government jurisdiction, in-
9 cluding the relevant regional fishery manage-
10 ment councils established under the Magnuson-
11 Stevens Fishery Conservation and Management
12 Act (16 U.S.C. 1801 et seq.), or any National
13 Marine Sanctuary, with jurisdiction or manage-
14 ment authority over coral reef ecosystems in the
15 area where the project is to be conducted, includ-
16 ing the extent to which the project is consistent
17 with locally-established priorities;

18 (B) provide for the merit-based peer review
19 of the proposal and require standardized docu-
20 mentation of that peer review;

21 (C) after considering any written comments
22 and recommendations based on the reviews under
23 subparagraphs (A) and (B), approve or dis-
24 approve the proposal; and

1 (D) provide written notification of that ap-
2 proval or disapproval to the person who sub-
3 mitted the proposal, and each of those States and
4 other government jurisdictions that provided
5 comments under subparagraph (A).

6 (g) *CRITERIA FOR APPROVAL.*—The Administrator
7 may not approve a project proposal under this section un-
8 less the project is consistent with the coral reef action strat-
9 egy under section 3 and will enhance the conservation of
10 coral reefs by—

11 (1) implementing coral conservation programs
12 which promote sustainable development and ensure ef-
13 fective, long-term conservation of coral reefs;

14 (2) addressing the conflicts arising from the use
15 of environments near coral reefs or from the use of
16 corals, species associated with coral reefs, and coral
17 products;

18 (3) enhancing compliance with laws that pro-
19 hibit or regulate the taking of coral products or spe-
20 cies associated with coral reefs or regulate the use and
21 management of coral reef ecosystems;

22 (4) developing sound scientific information on
23 the condition of coral reef ecosystems or the threats to
24 such ecosystems, including factors that cause coral
25 disease;

1 (5) *promoting and assisting to implement coop-*
2 *erative coral reef conservation projects that involve af-*
3 *ected local communities, non-governmental organiza-*
4 *tions, or others in the private sector;*

5 (6) *increasing public knowledge and awareness*
6 *of coral reef ecosystems and issues regarding their*
7 *long term conservation;*

8 (7) *mapping the location and distribution of*
9 *coral reefs;*

10 (8) *developing and implementing techniques to*
11 *monitor and assess the status and condition of coral*
12 *reefs;*

13 (9) *developing and implementing cost-effective*
14 *methods to restore degraded coral reef ecosystems; or*

15 (10) *promoting ecologically sound navigation*
16 *and anchorages near coral reefs.*

17 (h) *PROJECT REPORTING.*—*Each grantee under this*
18 *section shall provide periodic reports as required by the Ad-*
19 *ministrator. Each report shall include all information re-*
20 *quired by the Administrator for evaluating the progress and*
21 *success of the project.*

22 (i) *CORAL REEF TASK FORCE.*—*The Administrator*
23 *may consult with the Coral Reef Task Force to obtain guid-*
24 *ance in establishing coral conservation project priorities*
25 *under this section.*

1 (j) *IMPLEMENTATION GUIDELINES.*—*Within 180 days*
2 *after the date of enactment of this Act, the Administrator*
3 *shall promulgate necessary guidelines for implementing this*
4 *section. In developing those guidelines, the Administrator*
5 *shall consult with State, regional, and local entities in-*
6 *olved in setting priorities for conservation of coral reefs*
7 *and provide for appropriate public notice and opportunity*
8 *for comment.*

9 **SEC. 805. CORAL REEF CONSERVATION FUND.**

10 (a) *FUND.*—*The Administrator may enter into an*
11 *agreement with a non-profit organization that promotes*
12 *coral reef conservation authorizing such organization to re-*
13 *ceive, hold, and administer funds received pursuant to this*
14 *section. The organization shall invest, reinvest, and other-*
15 *wise administer the funds and maintain such funds and*
16 *any interest or revenues earned in a separate interest bear-*
17 *ing account, hereafter referred to as the Fund, established*
18 *by such organization solely to support partnerships between*
19 *the public and private sectors that further the purposes of*
20 *this Act and are consistent with the national coral reef ac-*
21 *tion strategy under section 3.*

22 (b) *AUTHORIZATION TO SOLICIT DONATIONS.*—*Pursu-*
23 *ant to an agreement entered into under subsection (a) of*
24 *this section, an organization may accept, receive, solicit,*
25 *hold, administer, and use any gift to further the purposes*

1 *of this Act. Any monies received as a gift shall be deposited*
2 *and maintained in the Fund established by the organiza-*
3 *tion under subsection (a).*

4 (c) *REVIEW OF PERFORMANCE.—The Administrator*
5 *shall conduct a continuing review of the grant program ad-*
6 *ministered by an organization under this section. Each re-*
7 *view shall include a written assessment concerning the ex-*
8 *tent to which that organization has implemented the goals*
9 *and requirements of this section and the national coral reef*
10 *action strategy under section 3.*

11 (d) *ADMINISTRATION.—Under an agreement entered*
12 *into pursuant to subsection (a) of this section, the Adminis-*
13 *trator may transfer funds appropriated to carry out this*
14 *Act to an organization. Amounts received by an organiza-*
15 *tion under this subsection may be used for matching, in*
16 *whole or in part, contributions (whether in money, services,*
17 *or property) made to the organization by private persons*
18 *and State and local government agencies.*

19 **SEC. 806. EMERGENCY ASSISTANCE.**

20 *The Administrator may make grants to any State,*
21 *local, or territorial government agency with jurisdiction*
22 *over coral reefs for emergencies to address unforeseen or dis-*
23 *aster-related circumstance pertaining to coral reefs or coral*
24 *reef ecosystems.*

1 **SEC. 807. NATIONAL PROGRAM.**

2 (a) *IN GENERAL.*—Subject to the availability of appro-
3 priations, the Secretary may conduct activities to conserve
4 coral reefs and coral reef ecosystems, that are consistent
5 with this Act, the National Marine Sanctuaries Act, the
6 Coastal Zone Management Act of 1972, the Magnuson-Ste-
7 vens Fishery Conservation and Management Act, the En-
8 dangered Species Act, and the Marine Mammal Act.

9 (b) *AUTHORIZED ACTIVITIES.*—Activities authorized
10 under subsection (a) include—

11 (1) *mapping, monitoring, assessment, restora-*
12 *tion, and scientific research that benefit the under-*
13 *standing, sustainable use, and long-term conservation*
14 *of coral reefs and coral reef ecosystems;*

15 (2) *enhancing public awareness, education, un-*
16 *derstanding, and appreciation of coral reefs and coral*
17 *reef ecosystems;*

18 (3) *providing assistance to States in removing*
19 *abandoned fishing gear, marine debris, and aban-*
20 *doned vessels from coral reefs to conserve living ma-*
21 *rine resources; and*

22 (4) *cooperative conservation and management of*
23 *coral reefs and coral reef ecosystems with local, re-*
24 *gional, or international programs and partners.*

1 **SEC. 808. EFFECTIVENESS REPORTS.**

2 (a) *GRANT PROGRAM.*—Not later than 3 years after
3 the date of enactment of this Act, the Administrator shall
4 submit to the Committee on Commerce, Science, and Trans-
5 portation of the Senate and Committee on Resources of the
6 House of Representatives a report that documents the effec-
7 tiveness of the grant program under section 4 in meeting
8 the purposes of this Act. The report shall include a State-
9 by-State summary of Federal and non-Federal contribu-
10 tions toward the costs of each project.

11 (b) *NATIONAL PROGRAM.*—Not later than 2 years after
12 the date on which the Administrator publishes the national
13 coral reef strategy under section 3 and every 2 years there-
14 after, the Administrator shall submit to the Committee on
15 Commerce, Science, and Transportation of the Senate and
16 the Committee on Resources of the House of Representatives
17 a report describing all activities undertaken to implement
18 that strategy, under section 3, including a description of
19 the funds obligated each fiscal year to advance coral reef
20 conservation.

21 **SEC. 809. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) *IN GENERAL.*—There are authorized to be appro-
23 priated to the Secretary to carry out this Act \$16,000,000
24 for each of fiscal years 2001, 2002, 2003, and 2004, which
25 may remain available until expended.

1 (b) *ADMINISTRATION.*—*Of the amounts appropriated*
2 *under subsection (a), not more than the lesser of \$1,000,000*
3 *or 10 percent of the amounts appropriated, may be used*
4 *for program administration or for overhead costs incurred*
5 *by the National Oceanic and Atmospheric Administration*
6 *or the Department of Commerce and assessed as an admin-*
7 *istrative charge.*

8 (c) *CORAL REEF CONSERVATION PROGRAM.*—*From*
9 *the amounts appropriated under subsection (a), there shall*
10 *be made available to the Secretary \$8,000,000 for each of*
11 *fiscal years 2001, 2002, 2003, and 2004 for coral reef con-*
12 *servation activities under section 4.*

13 (d) *NATIONAL CORAL REEF ACTIVITIES.*—*From the*
14 *amounts appropriated under subsection (a), there shall be*
15 *made available to the Secretary \$8,000,000 for each of fiscal*
16 *years 2001, 2002, 2003, and 2004 for activities under sec-*
17 *tion 7.*

18 **SEC. 810. DEFINITIONS**

19 *In this title:*

20 (1) *ADMINISTRATOR.*—*The term “Adminis-*
21 *trator” means the Administrator of the National Oce-*
22 *anic and Atmospheric Administration.*

23 (2) *CONSERVATION.*—*The term “conservation”*
24 *means the use of methods and procedures necessary to*
25 *preserve or sustain corals and associated species as*

1 *diverse, viable, and self-perpetuating coral reef eco-*
2 *systems, including all activities associated with re-*
3 *source management, such as assessment, conservation,*
4 *protection, restoration, sustainable use, and manage-*
5 *ment of habitat; mapping; habitat monitoring; assist-*
6 *ance in the development of management strategies for*
7 *marine protected areas and marine resources con-*
8 *sistent with the National Marine Sanctuaries Act (16*
9 *U.S.C. 1431 et seq.) and the Magnuson-Stevens Fish-*
10 *ery Conservation and Management Act (16 U.S.C.*
11 *1801 et seq.); law enforcement; conflict resolution ini-*
12 *tiatives; community outreach and education; and that*
13 *promote safe and ecologically sound navigation.*

14 (3) *CORAL.*—*The term “coral” means species of*
15 *the phylum Cnidaria, including—*

16 (A) *all species of the orders Antipatharia*
17 *(black corals), Scleractinia (stony corals),*
18 *Gorgonacea (horny corals), Stolonifera*
19 *(organpipe corals and others), Alcyonacea (soft*
20 *corals), and Coenothecalia (blue coral), of the*
21 *class Anthozoa; and*

22 (B) *all species of the order Hydrocorallina*
23 *(fire corals and hydrocorals) of the class*
24 *Hydrozoa.*

1 (4) *CORAL REEF*.—The term “coral reef” means
2 any reefs or shoals composed primarily of corals.

3 (5) *CORAL REEF ECOSYSTEM*.—The term “coral
4 reef ecosystem” means coral and other species of reef
5 organisms (including reef plants) associated with
6 coral reefs, and the non-living environmental factors
7 that directly affect coral reefs, that together function
8 as an ecological unit in nature.

9 (6) *CORAL PRODUCTS*.—The term “coral prod-
10 ucts” means any living or dead specimens, parts, or
11 derivatives, or any product containing specimens,
12 parts, or derivatives, of any species referred to in
13 paragraph (3).

14 (7) *SECRETARY*.—The term “Secretary” means
15 the Secretary of Commerce.

16 (8) *STATE*.—The term “State” means any State
17 of the United States that contains a coral reef eco-
18 system within its seaward boundaries, American
19 Samoa, Guam, the Northern Mariana Islands, Puerto
20 Rico, and the U.S. Virgin Islands, and any other ter-
21 ritory or possession of the United States, or separate
22 sovereign in free association with the United States,
23 that contains a coral reef ecosystem within its sea-
24 ward boundaries.

1 **TITLE IX—MISCELLANEOUS**

2 **SEC. 901. TREATMENT OF VESSEL AS AN ELIGIBLE VESSEL.**

3 *Notwithstanding paragraphs (1) through (3) of section*
4 *208(a) of the American Fisheries Act (title II of division*
5 *C of the Omnibus Consolidated and Emergency Supple-*
6 *mental Appropriations Act, 1999 (Public Law 105-277; 112*
7 *Stat. 2681-624)), the catcher vessel HAZEL LORRAINE*
8 *(United States Official Number 592211) and the catcher*
9 *vessel PROVIDIAN (United States Official Number*
10 *1062183) shall be considered to be vessels that are eligible*
11 *to harvest the directed fishing allowance under section*
12 *206(b)(1) of that Act pursuant to a Federal fishing permit*
13 *in the same manner as, and subject to the same require-*
14 *ments and limitations on that harvesting as apply to,*
15 *catcher vessels that are eligible to harvest that directed fish-*
16 *ing allowance under section 208(a) of that Act.*

17 **SEC. 902. STATUS OF CERTAIN COMMISSIONERS AS FED-**
18 **ERAL EMPLOYEES.**

19 *(a) GREAT LAKES FISHERY COMMISSION.—Section*
20 *3(a)(1) of the Great Lakes Fishery Act of 1956 (16 U.S.C.*
21 *932(a)(1)) is amended by inserting after the first sentence*
22 *the following: “An individual serving as a Commissioner*
23 *shall not be considered to be a Federal employee while per-*
24 *forming service as a Commissioner, except for purposes of*
25 *injury compensation or tort claims liability as provided in*

1 *chapter 81, of title 5, United States Code, and chapter 171*
2 *of title 28, United States Code.”.*

3 **(b) INTERNATIONAL COMMISSION FOR THE SCIENTIFIC**
4 *INVESTIGATION OF TUNAS; INTER-AMERICAN TROPICAL*
5 *TUNA COMMISSION.—Section 3 of the Tuna Conventions*
6 *Act of 1950 (16 U.S.C. 952) is amended by inserting after*
7 *the first sentence the following: “An individual serving as*
8 *a Commissioner shall not be considered to be a Federal em-*
9 *ployee while performing service as a Commissioner, except*
10 *for purposes of injury compensation or tort claims liability*
11 *as provided in chapter 81, of title 5, United States Code,*
12 *and chapter 171 of title 28, United States Code.”.*

13 **(c) INTERNATIONAL COMMISSION FOR THE CONSERVA-**
14 *TION OF ATLANTIC TUNAS.—Section 3(a)(1) of the Atlantic*
15 *Tunas Convention Act of 1975 (16 U.S.C. 971a(a)(1)) is*
16 *amended by inserting after “Government.” the following:*
17 *“An individual serving as a Commissioner shall not be con-*
18 *sidered to be a Federal employee while performing service*
19 *as a Commissioner, except for purposes of injury compensa-*
20 *tion or tort claims liability as provided in chapter 81, of*
21 *title 5, United States Code, and chapter 171 of title 28,*
22 *United States Code.”.*

23 **(d) NORTH PACIFIC ANADROMOUS FISH COMMIS-**
24 *SION.—Section 804(a) of the North Pacific Anadromous*
25 *Stocks Act of 1992 (16 U.S.C. 5003(a)) is amended by in-*

1 *serting after the first sentence the following: “An individual*
2 *erving as a Commissioner shall not be considered to be a*
3 *Federal employee while performing service as a Commis-*
4 *sioner, except for purposes of injury compensation or tort*
5 *claims liability as provided in chapter 81, of title 5, United*
6 *States Code, and chapter 171 of title 28, United States*
7 *Code.”.*

8 **SEC. 903. WESTERN PACIFIC PROJECT GRANTS.**

9 *Section 111(b)(1) of the Sustainable Fisheries Act (16*
10 *U.S.C. 1855 nt.) is amended by striking the last sentence*
11 *and inserting “There are authorized to be appropriated to*
12 *carry out this subsection \$500,000 for each fiscal year.”.*

13 **SEC. 904. EXTENSION OF DUNGENESS CRAB FISHERY MAN-**
14 **AGEMENT AUTHORITY.**

15 *Section 203(i) of the Act entitled “An Act To approve*
16 *a governing international fishery agreement between the*
17 *United States and the Republic of Poland, and for other*
18 *purposes” (112 Stat. 3453; 16 U.S.C. 1856 nt.) is amended*
19 *by striking “2001.” and inserting “2004.”.*

1 **TITLE X—MARINE MAMMAL**
2 **RESCUE ASSISTANCE**

3 **SEC. 1001. JOHN H. PRESCOTT MARINE MAMMAL RESCUE**
4 **ASSISTANCE GRANT PROGRAM.**

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

8 (1) *by redesignating sections 408 and 409 as sec-*
9 *tions 409 and 410, respectively; and*

10 (2) *by inserting after section 407 the following:*

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

13 “(a) *IN GENERAL.*—

14 “(1) *GRANTS.*—*Subject to the availability of ap-*
15 *propriations, the Secretary shall conduct a grant pro-*
16 *gram to be known as the John H. Prescott Marine*
17 *Mammal Rescue Assistance Grant Program, to pro-*
18 *vide grants to eligible stranding network participants*
19 *for the recovery or treatment of marine mammals, the*
20 *collection of data from living or dead stranded ma-*
21 *rine mammals for scientific research regarding ma-*
22 *rine mammal health, and facility operation costs that*
23 *are directly related to those purposes.*

24 “(2) *DISTRIBUTION AMONG STRANDING RE-*
25 *GIONS.*—

1 “(A) *EQUITABLE DISTRIBUTION.*—*The Sec-*
2 *retary shall ensure that, to the greatest extent*
3 *practicable, funds provided as grants under this*
4 *subsection are distributed equitably among the*
5 *designated stranding regions.*

6 “(B) *PRIORITIES.*—*In determining prior-*
7 *ities among such regions, the Secretary may*
8 *consider—*

9 “(i) *any episodic stranding or any*
10 *mortality event other than an event de-*
11 *scribed in section 410(6), that occurred in*
12 *any region in the preceding year; and*

13 “(ii) *data regarding average annual*
14 *strandings and mortality events per region.*

15 “(b) *APPLICATION.*—*To receive a grant under this sec-*
16 *tion, a stranding network participant shall submit an ap-*
17 *plication in such form and manner as the Secretary may*
18 *prescribe.*

19 “(c) *ADVISORY GROUP.*—

20 “(1) *IN GENERAL.*—*The Secretary, in consulta-*
21 *tion with the Marine Mammal Commission, shall es-*
22 *tablish an advisory group in accordance with this*
23 *subsection to advise the Secretary regarding the im-*
24 *plementation of this section, including the award of*
25 *grants under this section.*

1 “(2) *MEMBERSHIP.*—*The advisory group shall*
2 *consist of a representative from each of the designated*
3 *stranding regions and other individuals who rep-*
4 *resent public and private organizations that are ac-*
5 *tively involved in rescue, rehabilitation, release, sci-*
6 *entific research, marine conservation, and forensic*
7 *science regarding stranded marine mammals.*

8 “(3) *PUBLIC PARTICIPATION.*—

9 “(A) *MEETINGS.*—*The advisory group*
10 *shall—*

11 “(i) *ensure that each meeting of the ad-*
12 *visory group is open to the public; and*

13 “(ii) *provide, at each meeting of the*
14 *advisory group, an opportunity for inter-*
15 *ested persons to present oral or written*
16 *statements concerning items on the agenda*
17 *for the meeting.*

18 “(B) *NOTICE.*—*The Secretary shall provide*
19 *to the public timely notice of each meeting of the*
20 *advisory group.*

21 “(C) *MINUTES.*—*The Secretary shall keep*
22 *and make available to the public minutes of each*
23 *meeting of the advisory group.*

24 “(4) *EXEMPTION.*—*The Federal Advisory Com-*
25 *mittee Act (5 U.S.C. App.) shall not apply to the es-*

1 *tablishment and activities of an advisory group in*
2 *accordance with this subsection.*

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

5 “(e) *MATCHING REQUIREMENT.—*

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

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

15 “(f) *ADMINISTRATIVE EXPENSES.—Of amounts avail-*
16 *able each fiscal year to carry out this section, the Secretary*
17 *may expend not more than 6 percent to pay the administra-*
18 *tive expenses necessary to carry out this section.*

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

20 “(1) *DESIGNATED STRANDING REGION.—The*
21 *term ‘designated stranding region’ means a geo-*
22 *graphic region designated by the Secretary for pur-*
23 *poses of administration of this title.*

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

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

5 (b) *CONFORMING AMENDMENT.*—*Section 3(12)(B) of*
6 *the Marine Mammal Protection Act of 1972 (16 U.S.C.*
7 *1362(12)(B)) is amended by inserting “(other than section*
8 *408)” after “title IV”.*

9 (c) *CLERICAL AMENDMENT.*—*The table of contents in*
10 *the first section of the Marine Mammal Protection Act of*
11 *1972 (86 Stat. 1027) is amended by striking the items relat-*
12 *ing 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.*”.

Attest:

Secretary.

106TH CONGRESS
2D SESSION

H. R. 3417

AMENDMENT

HR 3417 EAS—2

HR 3417 EAS—3

HR 3417 EAS—4

HR 3417 EAS—5

HR 3417 EAS—6

HR 3417 EAS—7

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HR 3417 EAS—9

HR 3417 EAS—10