

(ii) by striking "may" and inserting "shall"; and

(4) in subsection (b)—

(A) in the subsection heading, by striking "AND ENGINES" and inserting "ENGINES, AND MARINE VESSELS"; and

(B) by striking "rail transportation, vehicles used at airports, vehicles or engines used for marine purposes, and other vehicles or engines" and inserting "rail and waterway transportation, vehicles used at airports and seaports, vehicles or engines used for marine purposes, marine vessels, and other vehicles, engines, or marine vessels".

SEC. 1108. MANDATE FOR ALTERNATIVE FUEL PROVIDERS. Section 501 of the Energy Policy Act of 1992 (42 U.S.C. 13251) is amended—

(1) in subsection (a)(1), by inserting "or heavy" after "new light"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "and" at the end;

(B) in paragraph (2), by striking the period at the end and inserting "and"; and

(C) by adding at the end the following:

"(3) allow the conversion of an existing fleet vehicle into a dual-fueled alternative fueled vehicle at the time of a major overhaul or rebuild of the vehicle, if the original equipment manufacturer's warranty continues to apply to the vehicle, pursuant to an agreement between the original equipment manufacturer and the person performing the conversion."

SEC. 1109. REPLACEMENT FUEL SUPPLY AND DEMAND PROGRAM. Section 502 of the Energy Policy Act of 1992 (42 U.S.C. 13252) is amended—

(1) in the first sentence of subsection (a), by inserting "and heavy" after "in light"; and

(2) in the first sentence of subsection (b), by inserting after "October 1, 1993," the following: "and every 5 years thereafter through October 1, 2008,".

SEC. 1110. MODIFICATION OF GOALS; ADDITIONAL RULEMAKING AUTHORITY. Section 504 of the Energy Policy Act of 1992 (42 U.S.C. 13254) is amended—

(1) in the first sentence of subsection (a), by striking "and periodically thereafter" and inserting "consistent with the reporting requirements of section 502(b)"; and

(2) in subsection (c), by inserting after the first sentence the following: "Any additional regulation issued by the Secretary shall be, to the maximum extent practicable, neutral with respect to the type of fuel and vehicle used."

SEC. 1111. FLEET REQUIREMENT PROGRAM. (a) FLEET PROGRAM PURCHASE GOALS.—Section 507(a)(1) of the Energy Policy Act of 1992 (42 U.S.C. 13257(a)(1)) is amended by inserting "acquired as, or converted into," after "shall be".

(b) FLEET REQUIREMENT PROGRAM.—Section 507(g) of the Energy Policy Act of 1992 (42 U.S.C. 13257(g)) is amended—

(1) in paragraph (1), by inserting "acquired as, or converted into," after "shall be";

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

"(4) SUBSTITUTIONS.—The Secretary shall, by rule, permit fleets covered under this section to substitute the acquisition or conversion of 1 heavy duty alternative fueled vehicle for 2 light duty vehicle acquisitions to meet the requirements of this subsection."

(c) CONVERSIONS.—Section 507(j) of the Energy Policy Act of 1992 (42 U.S.C. 13257(j)) is amended—

(1) by striking "Nothing in" and inserting the following:

"(1) IN GENERAL.—Subject to paragraph (2), nothing in"; and

(2) by adding at the end the following:

"(2) CONVERSION INTO ALTERNATIVE FUELED VEHICLES.—

"(A) IN GENERAL.—A fleet owner shall be permitted to convert an existing fleet vehicle into an alternative fueled vehicle, and purchase the

alternative fuel for the converted vehicle, for the purpose of compliance with this title or an amendment made by this title, if the original equipment manufacturer's warranty continues to apply to the vehicle, pursuant to an agreement between the original equipment manufacturer and the person performing the conversion.

"(B) CREDITS.—A fleet owner shall be allowed a credit for the conversion of an existing fleet vehicle and the purchase of alternative fuel for the vehicle."

(d) MANDATORY STATE FLEET PROGRAMS.—Section 507(o) of the Energy Policy Act of 1992 (42 U.S.C. 13257(o)) is amended—

(1) in paragraph (1)—

(A) by inserting "or heavy" after "new light"; and

(B) by inserting "or converted" after "acquired"; and

(2) in the first sentence of paragraph (2)(A)—

(A) by striking "this Act" and inserting "the Biodiesel Energy Development Act of 1997"; and

(B) by inserting after "of light" the following: "or heavy duty alternative fueled".

SEC. 1112. CREDITS. (a) IN GENERAL.—Section 508(a) of the Energy Policy Act of 1992 (42 U.S.C. 13258(a)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) ADDITIONAL ALTERNATIVE FUELED VEHICLES.—The Secretary"; and

(2) by adding at the end the following:

"(2) ALTERNATIVE FUEL.—The Secretary shall allocate a credit to a fleet or covered person that acquires a volume of alternative fuel equal to the estimated need for 1 year for any dual-fueled vehicle acquired or converted by the fleet or covered person as required under this title."

(b) ALLOCATION.—Section 508(b) of the Energy Policy Act of 1992 (42 U.S.C. 13258(b)) is amended—

(1) by striking "In allocating credits under subsection (a)," and inserting the following:

"(1) ADDITIONAL ALTERNATIVE FUELED VEHICLES.—In allocating credits under subsection (a)(1),"; and

(2) by adding at the end the following:

"(2) DUAL-FUELED VEHICLES; ALTERNATIVE FUEL.—In allocating credits under subsection (a)(2), the Secretary shall allocate 2 credits to a fleet or covered person for acquiring or converting a dual-fueled vehicle and acquiring a volume of alternative fuel equal to the estimated need for 1 year for any dual-fueled vehicle if the dual-fueled vehicle acquired is in excess of the number that the fleet or covered person is required to acquire or is acquired before the date that the fleet or covered person is required to acquire the number under this title."

SEC. 1113. SECRETARY'S RECOMMENDATION TO CONGRESS. Section 509(a) of the Energy Policy Act of 1992 (42 U.S.C. 13259(a)) is amended—

(1) in paragraph (1), by inserting before the semicolon at the end the following: "and exempting replacement fuels from taxes levied on non-replacement fuels"; and

(2) in paragraph (2)—

(A) by inserting "and converters" after "suppliers"; and

(B) by inserting before the semicolon the following: "including the conversion and warranty of motor vehicles into alternative fueled vehicles".

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999".

AMENDMENT 3186

(The corrected text of amendment No. 3186, as agreed to on July 16, 1998, follows:)

AMENDMENT NO. 3186

(Purpose: To allow the USDA Rural Housing Service Administrator to provide non-monetary awards to non-USDA employees)

On page 40, line 20, strike the last period and replace with ";

On page 40, line 20, after the ";" insert the following: "Provided further, That the Administrator may expend not more than \$10,000 to provide modest non-monetary awards to non-USDA employees."

SHACKLEFORD BANKS WILD HORSES PROTECTION ACT

Mr. DOMENICI. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 229, H.R. 765.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 765) to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Shackleford Banks Wild Horses Protection Act".

SEC. 2. MAINTENANCE OF WILD HORSES IN CAPE LOOKOUT NATIONAL SEASHORE.

Section 5 of the Act entitled "An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes", approved March 10, 1966 (Public Law 89-366; 16 U.S.C. 459g-4), is amended by inserting "(a)" after "Sec. 5.", and by adding at the end the following new subsection:

"(b)(1) The Secretary, in accordance with this subsection, shall allow a herd of free-roaming horses in Cape Lookout National Seashore (hereinafter referred to as the 'Seashore').

"(2) Within 180 days after enactment of this subsection, the Secretary shall enter into an agreement with the Foundation for Shackleford Horses (a non-profit corporation established under the laws of the State of North Carolina), or another qualified non-profit entity, to provide for management of free-roaming horses in the seashore. The agreement shall—

"(A) provide for cost-effective management of the horses while ensuring that natural resources within the seashore are not adversely impacted; and,

"(B) allow the authorized entity to adopt any of those horses that the Secretary removes from the seashore.

"(3) The Secretary shall not remove, assist in, or permit the removal of any free-roaming horses from Federal lands within the boundaries of the seashore—

"(A) unless the entity with whom the Secretary has entered into the agreement under paragraph (2), following notice and a 90-day response period, fails to meet the terms and conditions of the agreement; or

"(B) unless the number of free-roaming horses on Federal lands within Cape Lookout National Seashore exceeds 110; or

"(C) except in the case of an emergency, or to protect public health and safety.

"(4) The Secretary shall annually monitor, assess, and make available to the public findings regarding the population structure and health of the free-roaming horses in the national seashore.

"(5) Nothing in this subsection shall be construed as creating liability for the United States for any damages caused by the free-roaming horses to property located inside or outside the boundaries of the seashore."