

proceed to the consideration of S. Con. Res. 139, introduced earlier today by Senator INOUE.

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

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 139) authorizing the use of the Capitol grounds for the dedication of the Japanese-American Memorial to Patriotism.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. GRAMS. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 139) was agreed to, as follows:

S. CON. RES. 139

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. DEFINITIONS.**

In this Resolution:

(1) **EVENT.**—The term “event” means the dedication of the National Japanese-American Memorial to Patriotism.

(2) **SPONSOR.**—The term “sponsor” means the National Japanese-American Memorial Foundation.

**SEC. 2. AUTHORIZATION OF EVENT TO CELEBRATE THE DEDICATION OF THE NATIONAL JAPANESE-AMERICAN MEMORIAL.**

The National Japanese-American Memorial Foundation may sponsor the dedication of the National Japanese-American Memorial to Patriotism on the Capitol grounds on November 9, 2000, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

**SEC. 3. TERMS AND CONDITIONS.**

(a) **IN GENERAL.**—The event shall be open to the public, free of admission charge, and arranged so as not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) **EXPENSES AND LIABILITIES.**—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

**SEC. 4. STRUCTURES AND EQUIPMENT.**

(a) **STRUCTURES AND EQUIPMENT.**—

(1) **IN GENERAL.**—Subject to the approval of the Architect of the Capitol, beginning on November 8, 2000, the sponsor may erect or place and keep on the Capitol grounds, until not later than 8:00 p.m. on Saturday, November 11, 2000, such stage, sound amplification devices, and other related structures and equipment as are required for the event.

(b) **ADDITIONAL ARRANGEMENTS.**—The Architect of the Capitol and the Capitol Police Board may make any such additional arrangements as are appropriate to carry out the event.

**SEC. 5. ENFORCEMENT OF RESTRICTIONS.**

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol grounds, as well as other restrictions applicable to the Capitol grounds, with respect to the event.

**COASTAL ZONE MANAGEMENT ACT OF 1999**

Mr. GRAMS. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of Calendar No. 803, S. 1534.

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

The legislative clerk read as follows:

A bill (S. 1534) to reauthorize the Coastal Zone Management Act, and for other purposes.

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

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Coastal Zone Management Act of 2000”.*

**SEC. 2. AMENDMENT OF COASTAL ZONE MANAGEMENT ACT.**

*Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).*

**SEC. 3. FINDINGS.**

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

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

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

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

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

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

*(6) by striking paragraph (11) (as so redesignated) and inserting the following:*

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

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

*“(14) There is a need to enhance cooperation and coordination among states and local communities, to encourage local community-based solutions that address the impacts and pressures on coastal resources and on public facilities and public service caused by continued coastal demands, and to increase state and local capacity to identify public infrastructure and open space needs and develop and implement plans which provide for sustainable growth, resource protection and community revitalization.”.*

**SEC. 4. POLICY.**

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

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

*(2) by striking “waters,” each place it appears in paragraph (2)(C) and inserting “waters and habitats,”;*

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

*(4) by inserting “other countries,” after “agencies,” in paragraph (5);*

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

*(6) by striking “zone.” in paragraph (6) and inserting “zone,”; and*

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

*“(7) to create and use a National Estuarine Research Reserve System as a Federal, state,*

*and community partnership to support and enhance coastal management and stewardship; and*

*“(8) to encourage the development, application, and transfer of innovative coastal and estuarine environmental technologies and techniques for the long-term conservation of coastal ecosystems.”.*

**SEC. 5. CHANGES IN DEFINITIONS.**

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

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

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

*“(8) The term ‘estuarine reserve’ means a coastal protected area which may include any part or all of an estuary and any island, transitional area, and upland in, adjoining, or adjacent to the estuary, and which constitutes to the extent feasible a natural unit, established to provide long-term opportunities for conducting scientific studies and educational and training programs that improve the understanding, stewardship, and management of estuaries.”; and*

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

*“(19) The term ‘coastal nonpoint pollution control strategies and measures’ means strategies and measures included as part of the coastal nonpoint pollution control program under section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. 1455b).*

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

*“(A) any local government;*

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

*“(C) any regional agency;*

*“(D) any interstate agency;*

*“(E) any nonprofit organization; or*

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

**SEC. 6. REAUTHORIZATION OF MANAGEMENT PROGRAM DEVELOPMENT GRANTS.**

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

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

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

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

**SEC. 7. ADMINISTRATIVE GRANTS.**

*(a) PURPOSES.—Section 306(a) (16 U.S.C. 1455(a)) is amended by inserting “including developing and implementing coastal nonpoint pollution control program components,” after “program,”.*

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

**SEC. 8. COASTAL RESOURCE IMPROVEMENT PROGRAM.**

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

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

(2) by inserting "or historic" in subsection (b)(2) after "urban";

(3) by adding at the end of subsection (b) the following:

"(5) The coordination and implementation of approved coastal nonpoint pollution control plans.

"(6) The preservation, restoration, enhancement or creation of coastal habitats.";

(4) by striking "and" after the semicolon in subsection (c)(2)(D);

(5) by striking "section." in subsection (c)(2)(E) and inserting "section.";

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

"(F) work, resources, or technical support necessary to preserve, restore, enhance, or create coastal habitats; and

"(G) the coordination and implementation of approved coastal nonpoint pollution control plans."; and

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

"(d) SOURCE OF FEDERAL GRANTS; STATE MATCHING CONTRIBUTIONS.—

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

"(A) it shall submit to the Secretary a combined application for grants under this section and section 306;

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

"(C) the Federal funding for the project shall be a portion of that state's annual allocation under section 306(a).

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

"(e) ALLOCATION OF GRANTS TO QUALIFIED LOCAL ENTITY.—With the approval of the Secretary, the eligible coastal state may allocate to a qualified local entity a portion of any grant made under this section for the purpose of carrying out this section; except that such an allocation shall not relieve that state of the responsibility for ensuring that any funds so allocated are applied in furtherance of the state's approved management program.

"(f) ASSISTANCE.—The Secretary shall assist eligible coastal states in identifying and obtaining from other Federal agencies technical and financial assistance in achieving the objectives set forth in subsection (b)."

#### SEC. 9. COASTAL ZONE MANAGEMENT FUND.

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

"(2) Loan repayments made under this subsection—

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

"(B) subject to amounts provided in Appropriations Acts, shall be available to the Secretary for purposes of this title and transferred to the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration to offset the costs of implementing this title."

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

"(2) Subject to Appropriation Acts, amounts in the Fund shall be available to the Secretary to carry out the provisions of this Act."

#### SEC. 10. COASTAL ZONE ENHANCEMENT GRANTS.

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

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

"(1) Protection, restoration, enhancement, or creation of coastal habitats, including wetlands, coral reefs, marshes, and barrier islands.";

(2) by inserting "and removal" after "entry" in subsection (a)(4);

(3) by striking "on various individual uses or activities on resources, such as coastal wetlands and fishery resources." in subsection (a)(5) and inserting "of various individual uses or activities on coastal waters, habitats, and resources, including sources of polluted runoff.";

(4) by adding at the end of subsection (a) the following:

"(10) Development and enhancement of coastal nonpoint pollution control program components, including the satisfaction of conditions placed on such programs as part of the Secretary's approval of the programs.

"(11) Significant emerging coastal issues as identified by coastal states, in consultation with the Secretary and qualified local entities.";

(5) by striking "proposals, taking into account the criteria established by the Secretary under subsection (d)." in subsection (c) and inserting "proposals.";

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

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

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

#### SEC. 11. COASTAL COMMUNITY PROGRAM.

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

##### "SEC. 309A. COASTAL COMMUNITY PROGRAM.

"(a) COASTAL COMMUNITY GRANTS.—The Secretary may make grants to any coastal state that is eligible under subsection (b)—

"(1) to assist coastal communities in assessing and managing growth, public infrastructure, and open space needs in order to provide for sustainable growth, resource protection and community revitalization;

"(2) to provide management-oriented research and technical assistance in developing and implementing community-based growth management and resource protection strategies in qualified local entities;

"(3) to fund demonstration projects which have high potential for improving coastal zone management at the local level;

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

"(A) revitalize previously developed areas;

"(B) undertake conservation activities and projects in undeveloped and environmentally sensitive areas;

"(C) emphasize water-dependent uses; and

"(D) protect coastal waters and habitats; and

"(5) to assist coastal communities to coordinate and implement approved coastal nonpoint pollution control strategies and measures that reduce the causes and impacts of polluted runoff on coastal waters and habitats."

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

"(1) have a management program approved under section 306; and

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

"(c) ALLOCATIONS; SOURCE OF FEDERAL GRANTS; STATE MATCHING CONTRIBUTIONS.—

"(1) ALLOCATION.—Grants under this section shall be allocated to coastal states as provided in section 306(c).

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

"(A) it shall submit to the Secretary a combined application for grants under this section and section 306; and

"(B) it shall match the amount of the grant under this section on the basis of a total con-

tribution of section 306, 306A, and this section so that, in aggregate, the match is 1:1.

"(d) ALLOCATION OF GRANTS TO QUALIFIED LOCAL ENTITY.—

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

"(2) ASSURANCES.—A coastal state shall ensure that amounts allocated by the state under paragraph (1) are used by the qualified local entity in furtherance of the state's approved management program, specifically furtherance of the coastal management objectives specified in section 303(2).

"(e) ASSISTANCE.—The Secretary shall assist eligible coastal states and qualified local entities in identifying and obtaining from other Federal agencies technical and financial assistance in achieving the objectives set forth in subsection (a)."

#### SEC. 12. TECHNICAL ASSISTANCE.

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

"(4) The Secretary may conduct a program to develop and apply innovative coastal and estuarine environmental technology and methodology through a cooperative program. The Secretary may make extramural grants in carrying out the purpose of this subsection."

#### SEC. 13. PERFORMANCE REVIEW.

Section 312(a) (16 U.S.C. 1458(a)) is amended by inserting "coordinated with National Estuarine Research Reserves in the state" after "303(2)(A) through (K)."

#### SEC. 14. WALTER B. JONES AWARDS.

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

(1) by striking "shall, using sums in the Coastal Zone Management Fund established under section 308" in subsection (a) and inserting "may, using sums available under this Act";

(2) by striking "field." in subsection (a) and inserting the following: "field of coastal zone management. These awards, to be known as the 'Walter B. Jones Awards', may include—

"(1) cash awards in an amount not to exceed \$5,000 each;

"(2) research grants; and

"(3) public ceremonies to acknowledge such awards.";

(3) by striking "shall elect annually—" in subsection (b) and inserting "may select annually if funds are available under subsection (a)—"; and

(4) by striking subsection (e).

#### SEC. 15. NATIONAL ESTUARINE RESEARCH RESERVE SYSTEM.

(a) Section 315(a) (16 U.S.C. 1461(a)) is amended by striking "consists of—" and inserting "is a network of areas protected by Federal, state, and community partnerships which promotes informed management of the Nation's estuarine and coastal areas through interconnected programs in resource stewardship, education and training, and scientific understanding consisting of—"

(b) Section 315(b)(2)(C) (16 U.S.C. 1461(b)(2)(C)) is amended by striking "public education and interpretation; and"; and inserting "education, interpretation, training, and demonstration projects; and".

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

(1) by striking "RESEARCH" in the subsection caption and inserting "RESEARCH, EDUCATION, AND RESOURCE STEWARDSHIP";

(2) by striking "conduct of research" and inserting "conduct of research, education, and resource stewardship";

(3) by striking "coordinated research" in paragraph (1) and inserting "coordinated research, education, and resource stewardship";

(4) by striking "research" before "principles" in paragraph (2);

(5) by striking "research programs" in paragraph (2) and inserting "research, education, and resource stewardship programs";

(6) by striking "research" before "methodologies" in paragraph (3);

(7) by striking "data," in paragraph (3) and inserting "information,";

(8) by striking "research" before "results" in paragraph (3);

(9) by striking "research purposes;" in paragraph (3) and inserting "research, education, and resource stewardship purposes";

(10) by striking "research efforts" in paragraph (4) and inserting "research, education, and resource stewardship efforts";

(11) by striking "research" in paragraph (5) and inserting "research, education, and resource stewardship"; and

(12) by striking "research" in the last sentence.

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

(1) by striking "ESTUARINE RESEARCH.—" in the subsection caption and inserting "ESTUARINE RESEARCH, EDUCATION, AND RESOURCE STEWARDSHIP.—";

(2) by striking "research purposes" and inserting "research, education, and resource stewardship purposes";

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

"(1) giving reasonable priority to research, education, and stewardship activities that use the System in conducting or supporting activities relating to estuaries; and";

(4) by striking "research." in paragraph (2) and inserting "research, education, and resource stewardship activities."; and

(5) by adding at the end thereof the following: "(3) establishing partnerships with other Federal and state estuarine management programs to coordinate and collaborate on estuarine research.".

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

(1) by striking "reserve," in paragraph (1)(A)(i) and inserting "reserve; and";

(2) by striking "and constructing appropriate reserve facilities, or" in paragraph (1)(A)(ii) and inserting "including resource stewardship activities and constructing reserve facilities; and";

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

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

"(B) to any coastal state or public or private person for purposes of—

"(i) supporting research and monitoring associated with a national estuarine reserve that are consistent with the research guidelines developed under subsection (c); or

"(ii) conducting educational, interpretive, or training activities for a national estuarine reserve that are consistent with the education guidelines developed under subsection (c).";

(5) by striking "therein or \$5,000,000, whichever amount is less." in paragraph (3)(A) and inserting "therein. Non-Federal costs associated with the purchase of any lands and waters, or interests therein, which are incorporated into the boundaries of a reserve up to 5 years after the costs are incurred, may be used to match the Federal share.";

(6) by striking "and (iii)" in paragraph (3)(B);

(7) by striking "paragraph (1)(A)(iii)" in paragraph (3)(B) and inserting "paragraph (1)(B)";

(8) by striking "entire System." in paragraph (3)(B) and inserting "System as a whole."; and

(9) by adding at the end thereof the following: "(4) The Secretary may—

"(A) enter into cooperative agreements, financial agreements, grants, contracts, or other agreements with any nonprofit organization, authorizing the organization to solicit donations to carry out the purposes and policies of this section, other than general administration of reserves or the System and which are consistent with the purposes and policies of this section; and

"(B) accept donations of funds and services for use in carrying out the purposes and policies

of this section, other than general administration of reserves or the System and which are consistent with the purposes and policies of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"(2) for grants under section 309A,—

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

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

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

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

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

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

"(3) for grants under section 315,—

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

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

"(C) \$12,500,000 for fiscal year 2002;

"(D) \$13,000,000 for fiscal year 2003; and

"(E) \$13,500,000 for fiscal year 2004;

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

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

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

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

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

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

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

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

Mr. MCCAIN. Mr. President, I rise in support of S. 1534, the Coastal Zone Management Act of 2000. Originally passed in 1972, the Coastal Zone Management Act, CZMA, was intended to address increased population and development in coastal communities. The programs established under this law were designed to balance responsible development with the preservation of the coastal environment. With over half of the U.S. population living in coastal areas, such balance is more important than ever.

This bill reauthorizes the law through fiscal year 2004 and improves the framework of the CZMA—voluntary federal-state matching grant programs. S. 1534 also enhances the ability of coastal zone managers to meet the ever increasing demands of tourism, commercial growth, pollution and environmental protection. In fact, one of the most serious problems facing our coastal environment is the damage caused by polluted runoff, or nonpoint source pollution. Polluted runoff has contributed to human health problems, permanent environmental damage, and beach closures.

The legislation before us today will improve the ability of managers to address polluted runoff in a manner specifically tailored to each state's individual needs. The bill clarifies and confirms that matching federal grants may be used to address nonpoint source pollution under the CZMA. In addition, S. 1534 reauthorizes the coastal zone enhancement grant program and provides dedicated funding for the continued implementation of state coastal nonpoint source pollution plans. Previous provisions had limited the program to projects such as wetlands protection and restoration, protection from coastal hazards, and reduction of marine debris along the coast.

I urge my colleagues to support S. 1534. It is a strong, pro-environment bill, which will provide a series of improvements to the Coastal Zone Management Act. Most importantly, the bill allows local and state environmental problems to be addressed on a community-by-community basis. This bipartisan bill enjoys the strong support of the Coastal States Organization, which represents the governors of more than 30 states, and a coalition of environmental organizations.

I would like to thank Senator SNOWE, the sponsor of the legislation, and Senators KERRY and HOLLINGS for their bipartisan support of and hard work on

this bill. I would also like to express my gratitude and that of the Commerce Committee to the staff who worked on this bill, including Sloan Rappoport, Stephanie Bailenson, Brooke Sikora, Rick Kenin and Margaret Spring. In particular I would like to thank Emily Lindow, a Sea Grant fellow, whose background and experience in coastal management issues helped produce a strong and reasonable CZMA bill. In addition, the Committee appreciates the efforts of Jena Carter, a former Sea Grant fellow, and Catherine Wannamaker, two former Committee staff who helped develop the legislation.

Again I urge the Senate to pass S. 1534, the Coastal Zone Management Act of 2000.

Mr. HOLLINGS. Mr. President, I rise to voice my support in passing S. 1534, a bill to reauthorize the Coastal Zone Management Act for fiscal years 2000 through 2004, which the Commerce Committee reported out favorably this session. First, I would like to commend Senators SNOWE and KERRY for their leadership on this very important reauthorization.

In 1969, the Commission on Marine Science, Engineering and Resources (the Stratton Commission) recommended that: “. . . a Coastal Zone Management Act be enacted which will provide policy objectives for the coastal zone and authorize federal grants-in-aid to facilitate the establishment of State Coastal Zone Authorities empowered to manage the coastal waters and adjacent land.”

In response to this recommendation, Congress, in 1972, enacted coastal zone management legislation to balance coastal development and preservation needs. To encourage state participation, the CZMA established a voluntary, two-stage, state assistance program. The first stage, awarded “section 305” grants to coastal states for development of coastal management programs meeting certain federal requirements. State programs which were judged by the Secretary of Commerce to meet those requirements received Federal approval and became eligible for the second stage of grants. This second stage, under section 306, provides ongoing assistance for states to implement their federally-approved coastal programs. All grants require equal matching funds from the state. Since passage of the CZMA, all 34 eligible states and territories have participated in the program to some degree. Currently, 34 of the 35 eligible coastal states and territories have Federally approved plans. The approved plans include more than 100,000 miles of coastline, which represents nearly all of the national total covered by the Act. The Ohio, Georgia, and Texas, and Minnesota state CZMA programs all received federal approval within the past three years. Of the eligible states, only Illinois is not participating.

Let me note that the nature and structure of CZM programs vary widely

from state to state. This diversity was intended by Congress. Some states, like North Carolina, passed comprehensive legislation as a framework for coastal management. Other states, like Oregon, used existing land use legislation as the foundation for their federally-approved programs. Finally, states like Florida and Massachusetts networked existing, single-purpose laws into a comprehensive umbrella for coastal management. The national program, therefore, is founded in the authorities and powers of the coastal states and local governments. Through the CZMA, these collective authorities are orchestrated to serve the “national interest in effective management, beneficial use, protection, and development of the coastal zone.” This 28 year program is a success story of how the local, state and federal government can work together for the benefit of all who enjoy and rely on our coastal resources.

I am pleased to report that S. 1534 reauthorizes and strengthens a program that works well. It provides total authorizations of over \$136 million, and adds a new Coastal Community Grant Program under section 309A for states that want to focus on coastal community-based initiatives. This provision is aimed at addressing the need for Federal and state support of community-based planning, strategies, and solutions for local sprawl and development issues in the coastal zone. In addition, it strengthens and provides increased authorizations for the National Estuarine Research Reserve System, natural labs operated by the states that support management-oriented research needed by coastal resource managers, as well as educational and interpretive programs to improve public awareness and understanding of the coastal environment.

While the CZMA has proven greatly successful, the world has changed since 1972. Today, over half of the U.S. population lives within 50 miles of our shores—and more than 3,000 people move to the coast every day. In addition, more than 30 percent of the Gross Domestic Product is generated in the coastal zone. In my state of South Carolina, our beaches now attract millions of visitors every year, all year long, placing greater demands on our coastal resources than ever before. And more and more people are choosing to move to the coast—making the coastal counties the fastest growing ones in the state. With population growth comes the demand for highways, shopping centers, schools, and sewers that permanently alter the landscape. If people are to continue to live and work on the coast, we must allow our states to do a better job of planning how we impact the very regions in which we all want to live.

Strengthening the CZMA is one important step in addressing these problems. These changes also call for another look at our overall ocean and coastal policy, which is why Congress

this year enacted the Oceans Act of 2000, with the strong bipartisan support, including that of Senators SNOWE, KERRY, STEVENS and BREAUX. Through reauthorization and strengthening of the CZMA and creation of a new Ocean Policy Commission called for in the Oceans Act, we are on track in the year 2000 to continue and improve upon the good work started by the Stratton Commission in 1969.

Ms. SNOWE. Mr. President, I rise in support of S. 1534, the Coastal Zone Management Act of 2000. This bill reauthorizes and makes a number of important improvements to the Coastal Zone Management Act. Under the authorities in this Act, coastal states can choose to participate in the voluntary federal Coastal Zone Management Program. States design individual coastal zone management programs, taking their specific needs and problems into account, and then receive federal matching funds to help carry out their program plans. State coastal zone programs manage issues ranging from public access to beaches, protecting habitat, to coordinating permits for coastal development.

The Coastal Zone Management Act was originally enacted by Congress in 1972, in response to concerns over the increasing demands being placed on our nation’s coastal regions and resources. These pressures have increased greatly since the Act was originally authorized. Although the coastal zone only comprises 10 percent of the contiguous U.S. land area, it is home to more than 53 percent of the U.S. population, and more than 3,600 people are relocating there annually. It is also an extremely important region economically, supporting commercial and recreational fishing, a booming coastal tourism industry, major commercial shipping, and a variety of other coastal industries.

The coastal zone is comprised of a number of delicate and extremely important ecosystems. Its health is of vital importance not only to the multitude of plants and animals that inhabit this area, but also the people and communities that are dependent on it for their livelihood. For example, coastal estuaries provide habitat for more than 75 percent of the U.S. commercial and 85 percent of the U.S. recreational fisheries. In turn, the commercial fishing industry, with value-added services included, contributes \$40 billion to the U.S. economy each year. Recreational fishing added another \$25 billion to the economy. Unfortunately, these major economic contributions are being threatened by environmental problems such as non-point source pollution.

Non-point source pollution is degrading the condition of our coastal rivers, wetlands, and marine environments. Although the states are currently taking action to address this problem under existing authority, the Coastal Zone Management Act of 2000 encourages them to take additional steps to

combat the problem through the Coastal Community Program. This initiative provides states with the funding and flexibility needed to deal with their specific non-point source pollution problems. The states will have the ability to implement local solutions to local problems.

The Coastal Community Program in this bill also aides states in developing and implementing creative initiatives to deal with problems other than non-point solution. It increases federal and state support of local community-based programs that address coastal environmental issues, such as the impact of development and sprawl on coastal uses and resources. This type of bottom-up management approach is critical. It allows communities to design their own solutions to their unique coastal environmental problems. The program also allows communities to be proactive in protecting their coastal resources, preventing them from reaching a point where drastic action may become necessary.

The Coastal Zone Management Act of 2000 significantly increases authorization levels for the Coastal Zone Management Program, allowing states to better address their coastal management plan goals. The bill authorizes \$135.5 million for fiscal year 2001 and increases the authorization levels by \$5.5 million each year through fiscal year 2004.

To provide further flexibility, the bill allows state matching funds to accrue in aggregate, as opposed to requiring the states to match each section individually. In my own state of Maine, our Coastal Zone Management Program raises an average of seven dollars in state matching funds for every single federal dollar appropriated. Unfortunately, not all states have been as successful. The new aggregate match provision will give coastal states more leeway to address important state and community projects.

Additionally, the Coastal Zone Management Act of 2000 increases authorization for the National Estuarine Research Reserve System (NERRS) to \$12 million in fiscal year 2001 with an additional \$1 million increase each year through fiscal year 2004. The NERRS is a network of reserves across the country that are operated as a cooperative federal-state partnership. Currently, there are 25 reserves in 22 states. They provide an important opportunity for long-term research and education in estuarine ecosystems. Additional funds will help strengthen this nationwide program which has not received increased funding commensurate with the addition of new reserves.

I would like to address a very serious problem facing the Coastal Zone Management Program that we have tried to rectify in this bill. The Administrative Grant section, section 306, serves as the base funding mechanism for the states' coastal zone management programs. The amount of funding each state receives is determined by a formula that

takes into account both the length of coastline and the population of each state. However, since 1992, the Appropriations Committee has imposed a two million dollar cap per state on Administrative Grants. This was an attempt to ensure equitable allocation to all the participating states. However, over the past eight years, appropriations for Administrative Grants have increased by \$19 million, yet the \$2 million cap has remained. The result has been an inequitable distribution of these new funds. In fiscal year 2000, 13 states had reached this arbitrary \$2 million cap. These 13 states account for 83 percent of our Nation's coastline and 76 percent of our coastal population.

It is not equitable to have the 13 states with the largest coastlines and populations stuck at a two million dollar cap, despite major overall funding increases. While smaller states have enjoyed additional programmatic success due to an influx of funding, some of the larger states have stagnated. In an attempt to reassure members of the Appropriations Committee that a fair distribution of funds can occur without this hard cap in place, I have worked with Senator HOLLINGS to develop language that has been included in this bill that directs the Secretary of Commerce to ensure equitable increases or decreases between funding years for each state. It further requires that states should not experience a decrease in base program funds in any year when the overall appropriations increase. I would like to thank Senator HOLLINGS for his assistance in resolving this matter and his commitment over the years to ensuring that the states be treated fairly.

The Coastal Zone Management Act enjoys wide support among all of the coastal states due to its history of success. This support has been clearly demonstrated by the many members of the Commerce Committee who have worked with me to strengthen this program. I would like to thank Senator KERRY, the ranking member of the Oceans and Fisheries Subcommittee for his hard work and support of this bill. I would also like to express my appreciation to Senator MCCAIN, a co-sponsor of the bill and the Chairman of the Commerce Committee, and Senator HOLLINGS, the ranking member of the Committee, for their bipartisan support of this measure. I urge the Senate to pass S. 1534, as amended.

AMENDMENT NO. 4278

Mr. GRAMS. Mr. President, Senator SNOWE has an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS], for Ms. SNOWE, proposes an amendment numbered 4278.

Mr. GRAMS. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase authorization levels for the National Estuarine Research Reserve System and for other purposes.)

On page 28, between lines 20 and 21, insert the following:

(b) **EQUITABLE ALLOCATION OF FUNDING.**—Section 306(c) (16 U.S.C. 1455(c)) is amended by adding at the end thereof "In promoting equity, the Secretary shall consider the overall change in grant funding under this section from the preceding fiscal year and minimize the relative increases or decreases among all the eligible States. The Secretary shall ensure that each eligible State receives increased funding under this section in any fiscal year for which the total amount appropriated to carry out this section is greater than the total amount appropriated to carry out this section for the preceding fiscal year."

On page 28, line 21, strike "(b)" and insert "(c)".

On page 45, strike lines 7 through line 10 and insert the following:

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

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

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

On page 45, line 16, strike "\$5,500,000" and insert "\$6,500,000".

On page 46, after the last sentence, insert the following new section:

**SEC. 18. SENSE OF CONGRESS.**

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

Mr. GRAMS. I ask unanimous consent that the amendment be agreed to.

The amendment (No. 4278) was agreed to.

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

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

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

The bill (S. 1534), as amended, was read the third time and passed, as follows:

S. 1534

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Coastal Zone Management Act of 2000".

**SEC. 2. AMENDMENT OF COASTAL ZONE MANAGEMENT ACT.**

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

**SEC. 3. FINDINGS.**

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

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

(2) by inserting "ports," in paragraph (3) (as so redesignated) after "fossil fuels,";

(3) by inserting "including coastal waters and wetlands," in paragraph (4) (as so redesignated) after "zone.,";

(4) by striking "therein," in paragraph (4) (as so redesignated) and inserting "dependent on that habitat.,";

(5) by striking "well-being" in paragraph (5) (as so redesignated) and inserting "quality of life";

(6) by striking paragraph (11) (as so redesignated) and inserting the following:

"(11) Land and water uses in the coastal zone and coastal watersheds may significantly affect the quality of coastal waters and habitats, and efforts to control coastal water pollution from activities in these areas must be improved.;" and

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

"(14) There is a need to enhance cooperation and coordination among states and local communities, to encourage local community-based solutions that address the impacts and pressures on coastal resources and on public facilities and public service caused by continued coastal demands, and to increase state and local capacity to identify public infrastructure and open space needs and develop and implement plans which provide for sustainable growth, resource protection and community revitalization.;"

#### SEC. 4. POLICY.

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

(1) by striking "the states" in paragraph (2) and inserting "state and local governments";

(2) by striking "waters," each place it appears in paragraph (2)(C) and inserting "waters and habitats.,";

(3) by striking "agencies and state and wildlife agencies; and" in paragraph (2)(J) and inserting "and wildlife management; and";

(4) by inserting "other countries," after "agencies," in paragraph (5);

(5) by striking "and" at the end of paragraph (5);

(6) by striking "zone." in paragraph (6) and inserting "zone.,"; and

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

"(7) to create and use a National Estuarine Research Reserve System as a Federal, state, and community partnership to support and enhance coastal management and stewardship; and

"(8) to encourage the development, application, and transfer of innovative coastal and estuarine environmental technologies and techniques for the long-term conservation of coastal ecosystems.;"

#### SEC. 5. CHANGES IN DEFINITIONS.

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

(1) by striking "and the Trust Territories of the Pacific Islands," in paragraph (4);

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

"(8) The term 'estuarine reserve' means a coastal protected area which may include any part or all of an estuary and any island, transitional area, and upland in, adjoining, or adjacent to the estuary, and which constitutes to the extent feasible a natural unit, established to provide long-term opportunities for conducting scientific studies and educational and training programs that improve the understanding, stewardship, and management of estuaries.;" and

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

"(19) The term 'coastal nonpoint pollution control strategies and measures' means strategies and measures included as part of the coastal nonpoint pollution control program under section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. 1455b).

"(20) The term 'qualified local entity' means—

"(A) any local government;

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

"(C) any regional agency;

"(D) any interstate agency;

"(E) any nonprofit organization; or

"(F) any reserve established under section 315.;"

#### SEC. 6. REAUTHORIZATION OF MANAGEMENT PROGRAM DEVELOPMENT GRANTS.

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

##### "SEC. 305. MANAGEMENT PROGRAM DEVELOPMENT GRANTS.

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

"(b) SUBMITTAL OF PROGRAM FOR APPROVAL.—A coastal state that has completed the development of its management program shall submit the program to the Secretary for review and approval under section 306.;"

##### SEC. 7. ADMINISTRATIVE GRANTS.

(a) PURPOSES.—Section 306(a) (16 U.S.C. 1455(a)) is amended by inserting "including developing and implementing coastal nonpoint pollution control program components," after "program.;"

(b) EQUITABLE ALLOCATION OF FUNDING.—Section 306(c) (16 U.S.C. 1455(c)) is amended by adding at the end thereof "In promoting equity, the Secretary shall consider the overall change in grant funding under this section from the preceding fiscal year and minimize the relative increases or decreases among all the eligible States. The Secretary shall ensure that each eligible State receives increased funding under this section in any fiscal year for which the total amount appropriated to carry out this section is greater than the total amount appropriated to carry out this section for the preceding fiscal year.

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

##### SEC. 8. COASTAL RESOURCE IMPROVEMENT PROGRAM.

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

(1) by inserting "or other important coastal habitats" in subsection (b)(1)(A) after "306(d)(9)";

(2) by inserting "or historic" in subsection (b)(2) after "urban";

(3) by adding at the end of subsection (b) the following:

"(5) The coordination and implementation of approved coastal nonpoint pollution control plans.

"(6) The preservation, restoration, enhancement or creation of coastal habitats.;"

(4) by striking "and" after the semicolon in subsection (c)(2)(D);

(5) by striking "section." in subsection (c)(2)(E) and inserting "section.;"

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

"(F) work, resources, or technical support necessary to preserve, restore, enhance, or create coastal habitats; and

"(G) the coordination and implementation of approved coastal nonpoint pollution control plans.;" and

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

"(d) SOURCE OF FEDERAL GRANTS; STATE MATCHING CONTRIBUTIONS.—

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

"(A) it shall submit to the Secretary a combined application for grants under this section and section 306;

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

"(C) the Federal funding for the project shall be a portion of that state's annual allocation under section 306(a).

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

"(e) ALLOCATION OF GRANTS TO QUALIFIED LOCAL ENTITY.—With the approval of the Secretary, the eligible coastal state may allocate to a qualified local entity a portion of any grant made under this section for the purpose of carrying out this section; except that such an allocation shall not relieve that state of the responsibility for ensuring that any funds so allocated are applied in furtherance of the state's approved management program.

"(f) ASSISTANCE.—The Secretary shall assist eligible coastal states in identifying and obtaining from other Federal agencies technical and financial assistance in achieving the objectives set forth in subsection (b).;"

##### SEC. 9. COASTAL ZONE MANAGEMENT FUND.

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

"(2) Loan repayments made under this subsection—

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

"(B) subject to amounts provided in Appropriations Acts, shall be available to the Secretary for purposes of this title and transferred to the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration to offset the costs of implementing this title.;"

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

"(2) Subject to Appropriation Acts, amounts in the Fund shall be available to the Secretary to carry out the provisions of this Act.;"

##### SEC. 10. COASTAL ZONE ENHANCEMENT GRANTS.

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

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

"(1) Protection, restoration, enhancement, or creation of coastal habitats, including wetlands, coral reefs, marshes, and barrier islands.;"

(2) by inserting "and removal" after "entry" in subsection (a)(4);

(3) by striking "on various individual uses or activities on resources, such as coastal wetlands and fishery resources." in subsection (a)(5) and inserting "of various individual uses or activities on coastal waters, habitats, and resources, including sources of polluted runoff.;"

(4) by adding at the end of subsection (a) the following:

"(10) Development and enhancement of coastal nonpoint pollution control program

components, including the satisfaction of conditions placed on such programs as part of the Secretary's approval of the programs.

"(11) Significant emerging coastal issues as identified by coastal states, in consultation with the Secretary and qualified local entities.";

(5) by striking "proposals, taking into account the criteria established by the Secretary under subsection (d)." in subsection (c) and inserting "proposals.";

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

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

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

#### SEC. 11. COASTAL COMMUNITY PROGRAM.

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

##### SEC. 309A. COASTAL COMMUNITY PROGRAM.

"(a) COASTAL COMMUNITY GRANTS.—The Secretary may make grants to any coastal state that is eligible under subsection (b)—

"(1) to assist coastal communities in assessing and managing growth, public infrastructure, and open space needs in order to provide for sustainable growth, resource protection and community revitalization;

"(2) to provide management-oriented research and technical assistance in developing and implementing community-based growth management and resource protection strategies in qualified local entities;

"(3) to fund demonstration projects which have high potential for improving coastal zone management at the local level;

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

"(A) revitalize previously developed areas;

"(B) undertake conservation activities and projects in undeveloped and environmentally sensitive areas;

"(C) emphasize water-dependent uses; and

"(D) protect coastal waters and habitats; and

"(5) to assist coastal communities to coordinate and implement approved coastal nonpoint pollution control strategies and measures that reduce the causes and impacts of polluted runoff on coastal waters and habitats.".

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

"(1) have a management program approved under section 306; and

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

"(c) ALLOCATIONS; SOURCE OF FEDERAL GRANTS; STATE MATCHING CONTRIBUTIONS.—

"(1) ALLOCATION.—Grants under this section shall be allocated to coastal states as provided in section 306(c).

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

"(A) it shall submit to the Secretary a combined application for grants under this section and section 306; and

"(B) it shall match the amount of the grant under this section on the basis of a total contribution of section 306, 306A, and this section so that, in aggregate, the match is 1:1.

"(d) ALLOCATION OF GRANTS TO QUALIFIED LOCAL ENTITY.—

"(1) IN GENERAL.—With the approval of the Secretary, the eligible coastal state may al-

locate to a qualified local entity amounts received by the state under this section.

"(2) ASSURANCES.—A coastal state shall ensure that amounts allocated by the state under paragraph (1) are used by the qualified local entity in furtherance of the state's approved management program, specifically furtherance of the coastal management objectives specified in section 303(2).

"(e) ASSISTANCE.—The Secretary shall assist eligible coastal states and qualified local entities in identifying and obtaining from other Federal agencies technical and financial assistance in achieving the objectives set forth in subsection (a)."

#### SEC. 12. TECHNICAL ASSISTANCE.

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

"(4) The Secretary may conduct a program to develop and apply innovative coastal and estuarine environmental technology and methodology through a cooperative program. The Secretary may make extramural grants in carrying out the purpose of this subsection."

#### SEC. 13. PERFORMANCE REVIEW.

Section 312(a) (16 U.S.C. 1458(a)) is amended by inserting "coordinated with National Estuarine Research Reserves in the state" after "303(2)(A) through (K)."

#### SEC. 14. WALTER B. JONES AWARDS.

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

(1) by striking "shall, using sums in the Coastal Zone Management Fund established under section 308" in subsection (a) and inserting "may, using sums available under this Act";

(2) by striking "field." in subsection (a) and inserting the following: "field of coastal zone management. These awards, to be known as the 'Walter B. Jones Awards', may include—

"(1) cash awards in an amount not to exceed \$5,000 each;

"(2) research grants; and

"(3) public ceremonies to acknowledge such awards.";

(3) by striking "shall elect annually—" in subsection (b) and inserting "may select annually if funds are available under subsection (a)—"; and

(4) by striking subsection (e).

#### SEC. 15. NATIONAL ESTUARINE RESEARCH RESERVE SYSTEM.

(a) Section 315(a) (16 U.S.C. 1461(a)) is amended by striking "consists of—" and inserting "is a network of areas protected by Federal, state, and community partnerships which promotes informed management of the Nation's estuarine and coastal areas through interconnected programs in resource stewardship, education and training, and scientific understanding consisting of—"

(b) Section 315(b)(2)(C) (16 U.S.C. 1461(b)(2)(C)) is amended by striking "public education and interpretation; and"; and inserting "education, interpretation, training, and demonstration projects; and".

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

(1) by striking "RESEARCH" in the subsection caption and inserting "RESEARCH, EDUCATION, AND RESOURCE STEWARDSHIP";

(2) by striking "conduct of research" and inserting "conduct of research, education, and resource stewardship";

(3) by striking "coordinated research" in paragraph (1) and inserting "coordinated research, education, and resource stewardship";

(4) by striking "research" before "principles" in paragraph (2);

(5) by striking "research programs" in paragraph (2) and inserting "research, education, and resource stewardship programs";

(6) by striking "research" before "methodologies" in paragraph (3);

(7) by striking "data," in paragraph (3) and inserting "information,";

(8) by striking "research" before "results" in paragraph (3);

(9) by striking "research purposes;" in paragraph (3) and inserting "research, education, and resource stewardship purposes;";

(10) by striking "research efforts" in paragraph (4) and inserting "research, education, and resource stewardship efforts";

(11) by striking "research" in paragraph (5) and inserting "research, education, and resource stewardship"; and

(12) by striking "research" in the last sentence.

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

(1) by striking "ESTUARINE RESEARCH.—" in the subsection caption and inserting "ESTUARINE RESEARCH, EDUCATION, AND RESOURCE STEWARDSHIP.—";

(2) by striking "research purposes" and inserting "research, education, and resource stewardship purposes";

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

"(1) giving reasonable priority to research, education, and stewardship activities that use the System in conducting or supporting activities relating to estuaries; and";

(4) by striking "research." in paragraph (2) and inserting "research, education, and resource stewardship activities."; and

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

"(3) establishing partnerships with other Federal and state estuarine management programs to coordinate and collaborate on estuarine research.".

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

(1) by striking "reserve." in paragraph (1)(A)(i) and inserting "reserve; and";

(2) by striking "and constructing appropriate reserve facilities, or" in paragraph (1)(A)(ii) and inserting "including resource stewardship activities and constructing reserve facilities; and";

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

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

"(B) to any coastal state or public or private person for purposes of—

"(i) supporting research and monitoring associated with a national estuarine reserve that are consistent with the research guidelines developed under subsection (c); or

"(ii) conducting educational, interpretive, or training activities for a national estuarine reserve that are consistent with the education guidelines developed under subsection (c).";

(5) by striking "therein or \$5,000,000, whichever amount is less." in paragraph (3)(A) and inserting "therein. Non-Federal costs associated with the purchase of any lands and waters, or interests therein, which are incorporated into the boundaries of a reserve up to 5 years after the costs are incurred, may be used to match the Federal share.";

(6) by striking "and (iii)" in paragraph (3)(B);

(7) by striking "paragraph (1)(A)(iii)" in paragraph (3)(B) and inserting "paragraph (1)(B)";

(8) by striking "entire System." in paragraph (3)(B) and inserting "System as a whole."; and

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

"(4) The Secretary may—

"(A) enter into cooperative agreements, financial agreements, grants, contracts, or other agreements with any nonprofit organization, authorizing the organization to solicit donations to carry out the purposes and policies of this section, other than general administration of reserves or the System and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- “(A) \$70,000,000 for fiscal year 2000;
  - “(B) \$80,000,000 for fiscal year 2001;
  - “(C) \$83,500,000 for fiscal year 2002;
  - “(D) \$87,000,000 for fiscal year 2003; and
  - “(E) \$90,500,000 for fiscal year 2004;
- “(2) for grants under section 309A—
- “(A) \$25,000,000 for fiscal year 2000;
  - “(B) \$26,000,000 for fiscal year 2001;
  - “(C) \$27,000,000 for fiscal year 2002;
  - “(D) \$28,000,000 for fiscal year 2003; and
  - “(E) \$29,000,000 for fiscal year 2004;

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

- “(3) for grants under section 315—
- “(A) \$7,000,000 for fiscal year 2000;
- “(B) \$12,000,000 for fiscal year 2001;
- “(C) \$13,000,000 for fiscal year 2002;
- “(D) \$14,000,000 for fiscal year 2003; and
- “(E) \$15,000,000 for fiscal year 2004;

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

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

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

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

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

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

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

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

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

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

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

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

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

The legislative clerk read as follows:

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

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

#### SECTION 1. SHORT TITLE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) alternative scrapping sites;*
- (ii) vessel donations;*
- (iii) sinking of vessels in deep water;*