

The resolution, with its preamble, reads as follows:

S. RES. 334

Whereas William Proxmire served in the Military Intelligence Service of the United States Army from 1941 to 1946;

Whereas William Proxmire served the people of Wisconsin with distinction from 1957 to 1989 in the United States Senate;

Whereas William Proxmire served the Senate as Chairman of the Committee on Banking, Housing, and Urban Affairs in the ninety-fourth to ninety-sixth and one hundredth Congresses;

Whereas William Proxmire held the longest unbroken record for roll call votes in the Senate;

Whereas William Proxmire tirelessly fought government waste, issuing monthly "Golden Fleece" awards beginning in 1975 for the "biggest or most ridiculous or most ironic example of government waste;"

Whereas William Proxmire worked endlessly to eradicate the world of genocide, culminating in the ratification by the Senate of an international treaty outlawing genocide;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable William Proxmire, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable William Proxmire.

TRANSFERRING PROPERTY TO THE SUPREME COURT

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 2116 introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 2116) to transfer jurisdiction of certain real property to the Supreme Court.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 2116) was read the third time and passed, as follows:

S. 2116

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

SECTION 1. TRANSFER OF JURISDICTION OVER CERTAIN REAL PROPERTY TO THE SUPREME COURT.

(a) **SHORT TITLE.**—This section may be cited as the "Supreme Court Grounds Transfer Act of 2005".

(b) **TRANSFER OF JURISDICTION.**—

(1) **IN GENERAL.**—Jurisdiction over the parcel of Federal real property described under paragraph (2) (over which jurisdiction was transferred to the Architect of the Capitol under section 514(b)(2)(B)(i) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 5102 note; Public Law 104-333;

110 Stat. 4165)) is transferred to the Supreme Court of the United States, without consideration.

(2) **PARCEL.**—The parcel of Federal real property referred to under paragraph (1) is that portion of the triangle of Federal land in Reservation No. 204 in the District of Columbia under the jurisdiction of the Architect of the Capitol, including any contiguous sidewalks, bound by Constitution Avenue, N.E., on the north, the branch of Maryland Avenue, N.E., running in a northeast direction on the west, the major portion of Maryland Avenue, N.E., on the south, and 2nd Street, N.E., on the east, including the contiguous sidewalks.

(c) **MISCELLANEOUS.**—

(1) **COMPLIANCE WITH OTHER LAWS.**—Compliance with this section shall be deemed to satisfy the requirements of all laws otherwise applicable to transfers of jurisdiction over parcels of Federal real property.

(2) **INCLUSION IN SUPREME COURT GROUNDS.**—Section 6101(b)(2) of title 40, United States Code, is amended by inserting before the period "and that parcel transferred under the Supreme Court Grounds Transfer Act of 2005".

(3) **UNITED STATES CAPITOL GROUNDS.**—

(A) **DEFINITION.**—Section 5102 of title 40, United States Code, is amended to exclude within the definition of the United States Capitol Grounds the parcel of Federal real property described in subsection (b)(2).

(B) **JURISDICTION OF CAPITOL POLICE.**—The United States Capitol Police shall not have jurisdiction over the parcel of Federal real property described in subsection (b)(2) by reason of such parcel formerly being part of the United States Capitol Grounds.

(4) **RECORDING OF MAP OF SUPREME COURT GROUNDS.**—The Architect of the Capitol shall record with the Office of the Surveyor of the District of Columbia a map showing areas comprising the grounds of the Supreme Court of the United States that reflects—

(A) the legal boundaries described under section 6101(b)(1) of title 40, United States Code; and

(B) any portion of the United States Capitol Grounds as described under section 5102 of title 40, United States Code, which is contiguous to the boundaries or property described under subparagraph (A) of this paragraph.

(d) **EFFECTIVE DATE.**—This Act shall apply to fiscal year 2006 and each fiscal year thereafter.

CORAL REEF CONSERVATION AMENDMENTS ACT OF 2005

Mr. MCCONNELL. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 294, S. 1390.

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

The legislative clerk read as follows:

A bill (S. 1390) to reauthorize the Coral Reef Conservation Act of 2000, 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 amendments.

(Strike the parts shown in black brackets and insert the parts shown in italic.)

S. 1390

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 "Coral Reef Conservation Amendments Act of 2005".

SEC. 2. EXPANSION OF CORAL REEF CONSERVATION PROGRAM.

(a) **PROJECT DIVERSITY.**—Section 204(d) of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(d)) is amended—

(1) by striking "GEOGRAPHIC AND BIOLOGICAL" in the heading and inserting "PROJECT"; and

(2) by striking "40 percent" in paragraph (2) and inserting "30 percent"; and

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

"(3) Remaining funds shall be awarded for—

"(A) projects (with priority given to community-based local action strategies) that address emerging priorities or threats, including international and territorial priorities, or threats identified by the Administrator in consultation with the Coral Reef Task Force; and

"(B) other appropriate projects, as determined by the Administrator, including monitoring and assessment, research, pollution reduction, education, and technical support."

(b) **APPROVAL CRITERIA.**—Section 204(g) of that Act (16 U.S.C. 6403(g)) is amended—

(1) by striking "or" after the semicolon in paragraph (9);

(2) by redesignating paragraph (10) as paragraph (12); and

(2) by striking paragraph (10); and

(3) by inserting after paragraph (9) the following:

"(10) promoting activities designed to minimize the likelihood of vessel impacts on coral reefs, particularly those activities described in section 210(b), including the promotion of ecologically sound navigation and anchorages near coral reefs; or

"(11) promoting and assisting entities to work with local communities, and all appropriate governmental and nongovernmental organizations, to support community-based planning and management initiatives for the protection of coral reef [systems; or"] systems."

SEC. 3. EMERGENCY RESPONSE.

Section 206 of the Coral Reef Conservation Act of 2000 (16 U.S.C. [6404] 6405) is amended to read as follows:

"SEC. 206. EMERGENCY RESPONSE ACTIONS.

"(a) **IN GENERAL.**—The Administrator may undertake or authorize action necessary to prevent or minimize the destruction or loss of, or injury to, coral reefs or coral reef ecosystems from vessel impacts or other physical damage to coral reefs, including damage from unforeseen or disaster-related circumstances.

"(b) **ACTIONS AUTHORIZED.**—Action authorized by subsection (a) includes vessel removal and emergency restabilization of the vessel and any impacted coral reef.

"(c) **PARTNERING WITH OTHER FEDERAL AGENCIES.**—When possible, action by the Administrator under this section should—

"(1) be conducted in partnership with other Federal agencies, including the United States Coast Guard, the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, and the Department of the Interior; and

"(2) leverage resources of such other agencies, including funding or assistance authorized under other Federal laws, such as the Oil Pollution Act of 1990, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Federal Water Pollution Control Act."

SEC. 4. NATIONAL PROGRAM.

Section 207(b) of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6406) is amended—

(1) by striking “and” after the semicolon in paragraph (3);

(2) by striking “partners.” in paragraph (4) and inserting “partners; and”; and

(3) by adding at the end the following:

“(5) activities designed to minimize the likelihood of vessel impacts or other physical damage to coral reefs, including those activities [described] identified in section 210(b).”.

SEC. 5. REPORT TO CONGRESS.

(a) IN GENERAL.—Section 208 of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6407) is amended to read as follows:

“SEC. 208. REPORT TO CONGRESS.

“Not later than March 1, 2007, and every 3 years thereafter, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report describing all activities undertaken to implement the strategy, including—

“(1) a description of the funds obligated by each participating Federal agency to advance coral reef conservation during each of the 3 fiscal years next preceding the fiscal year in which the report is submitted;

“(2) a description of Federal interagency and cooperative efforts with States and United States territories to prevent or address overharvesting, coastal runoff, or other anthropogenic impacts on coral reefs, including projects undertaken with the Department of Interior, Department of Agriculture, the Environmental Protection Agency, and the United States Army Corps of Engineers;

“(3) a summary of the information contained in the vessel grounding inventory established under section 210, including additional authorization or funding, needed for response and removal of such vessels;”

“(4) a description of Federal disaster response actions taken pursuant to the National Response Plan to address damage to coral reefs and coral reef ecosystems; and

“(5) an assessment of the condition of United States coral reefs, accomplishments under this Act, and the effectiveness of management actions to address threats to coral reefs.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended by striking the item relating to section 208 and inserting the following:

“208. Report to Congress.”.

SEC. 6. FUND; GRANTS; GROUNDING INVENTORY; COORDINATION.

(a) IN GENERAL.—The Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended—

(1) by striking “organization solely” and all that follows in section 205(a) (16 U.S.C. 6404(a)) and inserting “organization—

“(1) to support partnerships between the public and private sectors that further the purposes of this Act and are consistent with the national coral reef strategy under section 203; and

“(2) to address emergency response actions under section 206.”;

(2) by adding at the end of section 205(b) 16 U.S.C. 6404(b)) “The organization is encouraged to solicit funding and in-kind services from the private sector, including non-governmental organizations, for emergency response actions under section 206 and for activities to prevent damage to coral reefs, including activities described in section 210(b)(2).”;

(3) by striking “the grant program” in section 205(c) (16 U.S.C. 6404(c)) and inserting “any grant program or emergency response action”;

(4) by redesignating sections 209 and 210 as sections 212 and 213, respectively; and

(5) by inserting after section 208 the following:

“SEC. 209. COMMUNITY-BASED PLANNING GRANTS.

“(a) IN GENERAL.—The Administrator may make grants to entities who have received grants under section 204(c) to provide additional funds to such entities to work with local communities and through appropriate Federal and State entities to prepare and implement plans for the increased protection of coral reef areas identified by the community and [the best scientific information available] *scientific experts* as high priorities for focused attention. The plans shall—

“(1) support attainment of 1 or more of the criteria described in section 204(g);

“(2) be developed at the community level;

“(3) utilize watershed-based approaches;

“(4) provide for coordination with Federal and State experts and managers; and

“(5) build upon local approaches or models, including traditional or island-based resource management concepts.

“(b) TERMS AND CONDITIONS.—The provisions of subsections (b), (d), (f), and (h) of section 204 apply to grants under subsection (a), except that, for the purpose of applying section 204(b)(1) to grants under this section, “[25 percent] 75 percent” shall be substituted for “50 percent”.

“SEC. 210. VESSEL GROUNDING INVENTORY.

“(a) IN GENERAL.—The Administrator may maintain an inventory of all vessel grounding incidents involving coral reef resources, including a description of—

“(1) the impacts to such resources;

“(2) vessel and ownership information, if available;

“(3) the estimated cost of removal, mitigation, or restoration;

“(4) the response action taken by the owner, the Administrator, the Commandant of the Coast Guard, or other Federal or State agency representatives;

“(5) the status of the response action, including the dates of vessel removal and mitigation or restoration and any actions taken to prevent future grounding incidents; and

“(6) recommendations for additional navigational aids or other mechanisms for preventing future grounding incidents.

“(b) IDENTIFICATION OF AT-RISK REEFS.—The Administrator may—

“(1) use information from any inventory maintained under subsection (a) or any other available information source to identify coral reef areas outside designated National Marine Sanctuaries that have a high incidence of vessel impacts, including groundings and anchor damage; and

“(2) identify appropriate measures, including action by other agencies, to reduce the likelihood of such impacts.

“SEC. 211. REGIONAL COORDINATION.

“The Administrator shall work in coordination and collaboration with other Federal agencies, States, and United States territorial governments to implement the strategies developed under section 203, including regional and local strategies, to address multiple threats to coral reefs and coral reef ecosystems such as coastal runoff, vessel impacts, and overharvesting.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended—

(1) by redesignating the items relating to sections 208 through 211 as relating to sections 211 through 214; and

(2) by inserting the following after the item relating to section 207:

“209. Community-based planning grants.

“210. Vessel grounding inventory.

“211. Regional coordination.”.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Section 212 of the Coral Reef Conservation Act of 2000 (formerly 16 U.S.C. 6408), as redesignated by section 6, is amended—

(1) by striking “\$16,000,000 for each of fiscal years 2001, 2002, 2003, and 2004.” in subsection (a) and inserting “\$30,000,000 for fiscal year 2006, \$32,000,000 for fiscal year 2007, \$34,000,000 for fiscal year 2008, and \$35,000,000 for each of fiscal years 2009 through 2012, of which no less than 30 percent per year (for each of fiscal years 2006 through 2012) shall be used for the grant program under section 204 and up to 10 percent per year shall be used for the Fund established under section 205.”;

(2) by striking “\$1,000,000” in subsection (b) and inserting “\$2,000,000”; and

(3) by striking subsection (c) and inserting the following:

“(c) COMMUNITY-BASED PLANNING GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 209 the sum of \$8,000,000 for fiscal years 2007 through 2012, such sum to remain available until expended.”; and

(4) by striking subsection (d).

Mr. McCONNELL. Mr. President, I ask unanimous consent the amendments at the desk be agreed to, the committee-reported amendments, as amended, if amended, be agreed to, the bill, as amended, be read the third time and passed, 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 amendments (Nos. 2677 and 2678) were agreed to, as follows:

AMENDMENT NO. 2678

(Purpose: To strike references to certain laws)

On page 4, strike lines 14 through 19, and insert the following:

“(2) leverage resources of other agencies.”.

AMENDMENT NO. 2677

(Purpose: To make it clear that damage from derelict fishing gear and vessel anchors and anchor chains warrants emergency response action)

On page 3, beginning in line 24, strike “impacts or other physical damage to coral reefs, including” and insert “impacts, derelict fishing gear, vessel anchors and anchor chains, or”.

The committee amendments were agreed to.

The bill (S. 1390), as amended, was read the third time, and passed as follows:

S. 1390

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 “Coral Reef Conservation Amendments Act of 2005”.

SEC. 2. EXPANSION OF CORAL REEF CONSERVATION PROGRAM.

(a) PROJECT DIVERSITY.—Section 204(d) of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(d)) is amended—

(1) by striking “GEOGRAPHIC AND BIOLOGICAL” in the heading and inserting “PROJECT”; and

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

“(3) Remaining funds shall be awarded for—

“(A) projects (with priority given to community-based local action strategies) that

address emerging priorities or threats, including international and territorial priorities, or threats identified by the Administrator in consultation with the Coral Reef Task Force; and

“(B) other appropriate projects, as determined by the Administrator, including monitoring and assessment, research, pollution reduction, education, and technical support.”.

(b) APPROVAL CRITERIA.—Section 204(g) of that Act (16 U.S.C. 6403(g)) is amended—

(1) by striking “or” after the semicolon in paragraph (9);

(2) by striking paragraph (10); and

(3) by inserting after paragraph (9) the following:

“(10) promoting activities designed to minimize the likelihood of vessel impacts on coral reefs, particularly those activities described in section 210(b), including the promotion of ecologically sound navigation and anchorages near coral reefs; or

“(11) promoting and assisting entities to work with local communities, and all appropriate governmental and nongovernmental organizations, to support community-based planning and management initiatives for the protection of coral reef systems.”.

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“(b) ACTIONS AUTHORIZED.—Action authorized by subsection (a) includes vessel removal and emergency restabilization of the vessel and any impacted coral reef.

“(c) PARTNERING WITH OTHER FEDERAL AGENCIES.—When possible, action by the Administrator under this section should—

“(1) be conducted in partnership with other Federal agencies, including the United States Coast Guard, the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, and the Department of the Interior; and

“(2) leverage resources of other agencies.”.

SEC. 4. NATIONAL PROGRAM.

Section 207(b) of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6406) is amended—

(1) by striking “and” after the semicolon in paragraph (3);

(2) by striking “partners.” in paragraph (4) and inserting “partners; and”; and

(3) by adding at the end the following:

“(5) activities designed to minimize the likelihood of vessel impacts or other physical damage to coral reefs, including those activities identified in section 210(b).”.

SEC. 5. REPORT TO CONGRESS.

(a) IN GENERAL.—Section 208 of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6407) is amended to read as follows:

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“(1) a description of the funds obligated by each participating Federal agency to advance coral reef conservation during each of the 3 fiscal years next preceding the fiscal year in which the report is submitted;

“(2) a description of Federal interagency and cooperative efforts with States and United States territories to prevent or address overharvesting, coastal runoff, or other anthropogenic impacts on coral reefs, including projects undertaken with the Department of Interior, Department of Agriculture, the Environmental Protection Agency, and the United States Army Corps of Engineers;

“(3) a summary of the information contained in the vessel grounding inventory established under section 210, including additional authorization or funding, needed for response and removal of such vessels;”

“(4) a description of Federal disaster response actions taken pursuant to the National Response Plan to address damage to coral reefs and coral reef ecosystems; and

“(5) an assessment of the condition of United States coral reefs, accomplishments under this Act, and the effectiveness of management actions to address threats to coral reefs.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended by striking the item relating to section 208 and inserting the following:

“208. Report to Congress.”.

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(1) by striking “organization solely” and all that follows in section 205(a) (16 U.S.C. 6404(a)) and inserting “organization—

“(1) to support partnerships between the public and private sectors that further the purposes of this Act and are consistent with the national coral reef strategy under section 203; and

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(2) by adding at the end of section 205(b) (16 U.S.C. 6404(b)) “The organization is encouraged to solicit funding and in-kind services from the private sector, including nongovernmental organizations, for emergency response actions under section 206 and for activities to prevent damage to coral reefs, including activities described in section 210(b)(2).”;

(3) by striking “the grant program” in section 205(c) (16 U.S.C. 6404(c)) and inserting “any grant program or emergency response action”;

(4) by redesignating sections 209 and 210 as sections 212 and 213, respectively; and

(5) by inserting after section 208 the following:

“SEC. 209. COMMUNITY-BASED PLANNING GRANTS.

“(a) IN GENERAL.—The Administrator may make grants to entities who have received grants under section 204(c) to provide additional funds to such entities to work with local communities and through appropriate Federal and State entities to prepare and implement plans for the increased protection of coral reef areas identified by the community and scientific experts as high priorities for focused attention. The plans shall—

“(1) support attainment of 1 or more of the criteria described in section 204(g);

“(2) be developed at the community level;

“(3) utilize watershed-based approaches;

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“(5) build upon local approaches or models, including traditional or island-based resource management concepts.

“(b) TERMS AND CONDITIONS.—The provisions of subsections (b), (d), (f), and (h) of section 204 apply to grants under subsection (a), except that, for the purpose of applying section 204(b)(1) to grants under this section,

‘75 percent’ shall be substituted for ‘50 percent’.

“SEC. 210. VESSEL GROUNDING INVENTORY.

“(a) IN GENERAL.—The Administrator may maintain an inventory of all vessel grounding incidents involving coral reef resources, including a description of—

“(1) the impacts to such resources;

“(2) vessel and ownership information, if available;

“(3) the estimated cost of removal, mitigation, or restoration;

“(4) the response action taken by the owner, the Administrator, the Commandant of the Coast Guard, or other Federal or State agency representatives;

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(1) by redesignating the items relating to sections 208 through 211 as relating to sections 211 through 214; and

(2) by inserting the following after the item relating to section 207:

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Section 212 of the Coral Reef Conservation Act of 2000 (formerly 16 U.S.C. 6408), as redesignated by section 6, is amended—

(1) by striking “\$16,000,000 for each of fiscal years 2001, 2002, 2003, and 2004,” in subsection (a) and inserting “\$30,000,000 for fiscal year 2006, \$32,000,000 for fiscal year 2007, \$34,000,000 for fiscal year 2008, and \$35,000,000 for each of fiscal years 2009 through 2012, of which no less than 30 percent per year (for each of fiscal years 2006 through 2012) shall be used for the grant program under section 204 and up to 10 percent per year shall be used for the Fund established under section 205.”;

(2) by striking “\$1,000,000” in subsection (b) and inserting “\$2,000,000”; and

(3) by striking subsection (c) and inserting the following:

“(c) COMMUNITY-BASED PLANNING GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 209 the sum of \$8,000,000 for fiscal years 2007 through 2012, such sum to remain available until expended.”; and

(4) by striking subsection (d).