

103^D CONGRESS
1ST SESSION

H. R. 3059

To establish a National Maritime Heritage Program to make grants available for educational programs and the restoration of America's cultural resources for the purpose of preserving America's endangered maritime heritage.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1993

Mr. ANDREWS of Maine (for himself, Mr. OBERSTAR, and Ms. SNOWE) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To establish a National Maritime Heritage Program to make grants available for educational programs and the restoration of America's cultural resources for the purpose of preserving America's endangered maritime heritage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Maritime
5 Heritage Act of 1993".

6 **SEC. 2. FINDINGS.**

7 Congress finds and declares that—

1 (1) the United States is a maritime nation with
2 a rich maritime history, and it is desirable to foster
3 in the American public a greater awareness and ap-
4 preciation of the role of maritime endeavors in our
5 Nation's history and culture;

6 (2) the maritime historical and cultural founda-
7 tions of the Nation should be preserved as a part of
8 our community life and development;

9 (3) national, State, and local groups have been
10 working independently to preserve the maritime her-
11 itage of the United States;

12 (4) historic resources significant to the Nation's
13 maritime heritage are being lost or substantially al-
14 tered, often inadvertently, with increasing frequency;

15 (5) the preservation of this irreplaceable mari-
16 time heritage is in the public interest so that its
17 vital legacy of cultural, educational, aesthetic, inspi-
18 rational, and economic benefits will be maintained
19 and enriched for future generations of Americans;

20 (6) in the face of ever-increasing development,
21 the present governmental and nongovernmental his-
22 toric preservation programs and activities are inad-
23 equate to ensure future generations a genuine oppor-
24 tunity to appreciate and enjoy the rich maritime her-
25 itage of our Nation;

1 (7) a coordinated national program is needed to
2 immediately redress the adverse consequences of a
3 period of indifference during which the maritime
4 heritage of the United States has become endan-
5 gered and to ensure the future preservation of the
6 Nation's maritime heritage;

7 (8) a national maritime heritage policy would
8 greatly increase public awareness of the educational,
9 recreational, and preservation values of maritime
10 heritage; and

11 (9) the creation of a National Maritime Trust
12 for Historic Preservation in the United States would
13 greatly enhance maritime preservation.

14 **SEC. 3. NATIONAL MARITIME HERITAGE POLICY.**

15 It shall be the policy of the Federal Government in
16 partnership with the States and local governments and
17 private organization and individuals to—

18 (1) use measures, including financial and tech-
19 nical assistance, to foster conditions under which our
20 modern society and our historic maritime resources
21 can exist in productive harmony and fulfill the so-
22 cial, economic, and other requirements of present
23 and future generations;

24 (2) provide leadership in the preservation of the
25 historic maritime resources of the United States;

1 (3) contribute to the preservation historic mari-
2 time resources and give maximum encouragement to
3 organizations and individuals undertaking preserva-
4 tion by private means; and

5 (4) assist State and local governments to ex-
6 pand and accelerate their maritime historic preserva-
7 tion programs and activities.

8 **SEC. 4. NATIONAL MARITIME TRUST.**

9 (a) CREATION.—To further the policy enunciated in
10 this Act to facilitate public participation in the preserva-
11 tion of maritime sites, buildings, and objects of signifi-
12 cance or interest, and to further the education of the
13 American public about the importance of our maritime
14 heritage, there is hereby created a charitable, educational,
15 and nonprofit corporation, to be known as the National
16 Maritime Trust.

17 (b) PURPOSE.—The purposes of the National Mari-
18 time Trust shall be to—

19 (1) receive donations of real property and ob-
20 jects significant in American maritime history and
21 culture;

22 (2) to preserve and administer them for public
23 benefits;

24 (3) to accept, hold, and administer gifts of
25 money, securities, or other property of whatsoever

1 character for the purpose of carrying out a maritime
2 preservation and education program; and

3 (4) to execute other functions as are vested in
4 it by this Act.

5 (c) PRINCIPAL OFFICE.—The National Maritime
6 Trust shall have its principal office in the District of Co-
7 lumbia and shall be deemed, for purposes of venue in civil
8 actions, to be an inhabitant and resident thereof. The Na-
9 tional Maritime Trust may establish offices in other places
10 as it may deem necessary or appropriate in the conduct
11 of its business.

12 (d) ADMINISTRATION OF NATIONAL TRUST.—

13 (1) COMPOSITION OF BOARD OF TRUSTEES.—

14 (A) The affairs of the National Maritime
15 Trust shall be under the general direction of a
16 board of trustees composed as follows: the Sec-
17 retary of the Interior; the Secretary of Trans-
18 portation and the Secretary of the Navy, ex
19 officio; and not less than six general trustees
20 who shall be citizens of the United States, to be
21 chosen as hereinafter provided.

22 (B) The Secretary of the Interior, the Sec-
23 retary of Transportation, and the Secretary of
24 the Navy, when it appears desirable in the in-
25 terest of the conduct of the business of the

1 board and to the extent as they deem it advis-
2 able, may, by written notice to the National
3 Maritime Trust, designate any officer of their
4 respective departments to act for them in the
5 discharge of their duties as a member of the
6 board of trustees.

7 (C) The number of general trustees shall
8 be—

9 (i) fixed by the Board of Trustees of
10 the National Maritime Trust;

11 (ii) chosen by the members of the Na-
12 tional Maritime Trust from its members at
13 any regular meeting of the National Mari-
14 time Trust; and

15 (iii) appointed by the Secretary of the
16 Interior.

17 (2) TERMS OF OFFICE.—the respective terms of
18 office of the general trustees shall be as prescribed
19 by the said board of trustees but in no case shall ex-
20 ceed a period of five years from the date of election.
21 A successor to a general trustee shall be chosen in
22 the same manner and shall have a term expiring five
23 years from the date of the expiration of the term for
24 which the trustees predecessor was chosen, except
25 that a successor chosen to fill a vacancy occurring

1 prior to the expiration of such term shall be chosen
2 only for the remainder of that term. The chairman
3 of the board of trustees shall be elected by a major-
4 ity vote of the member of the board.

5 (3) COMPENSATION AND EXPENSES.—No com-
6 pensation shall be paid to the members of the board
7 of trustees for their services as such members, but
8 they shall be reimbursed for travel and actual ex-
9 penses necessary incurred by them in attending
10 board meetings and performing other official duties
11 on behalf of the National Maritime Trust at the di-
12 rection of the board.

13 (e) POWERS AND DUTIES OF NATIONAL MARITIME
14 TRUST.—To the extent necessary to enable it to carry out
15 the functions vested in it by this Act, the National Mari-
16 time Trust shall have the following general powers:

17 (1) To have succession until dissolved by Act of
18 Congress, in which event title to the properties of
19 the National Maritime Trust, both real and per-
20 sonal, shall, insofar as consistent with existing con-
21 tractual obligations and subject to all other legally
22 enforceable claims or demands by or against the Na-
23 tional Maritime Trust, at the discretion of the Sec-
24 retary of the Interior, pass to and become vested in
25 the United States of America;

1 (2) To sue and be sued in its corporate name;

2 (3) To adopt, alter, and use a corporate seal
3 which shall be judicially noticed;

4 (4) To adopt a constitution and to make such
5 bylaws, rules, and regulations, not inconsistent with
6 the laws of the United States or of any State, as it
7 deems necessary for the administration of its func-
8 tions under this Act, including among other matter,
9 bylaws, rules, and regulations governing visitation to
10 maritime historic properties, administration of cor-
11 porate funds, and the organization and procedure of
12 the board of trustees;

13 (5) To accept, hold, and administer gifts and
14 bequests of money, securities, or other personal
15 property of whatsoever character, absolutely or in
16 trust, for the purposes for which the National Mari-
17 time Trust is created. Unless otherwise restricted by
18 the terms of the gift or bequest, the National Mari-
19 time Trust is authorized to sell, exchange, or other-
20 wise dispose of and to invest or reinvest in such in-
21 vestments as it may determine from time to time the
22 moneys, securities, or other property given or be-
23 queathed to it. The principal of such corporate
24 funds, together with the income therefrom and all
25 other revenues received by it from any source what-

1 soever, shall be placed in such depositories as the
2 National Maritime Trust shall determine and shall
3 be subject to expenditure by the National Maritime
4 Trust for its corporate purposes;

5 (6) To acquire by gift, devise, purchase, or oth-
6 erwise, absolutely or on trust, and to hold and, un-
7 less otherwise restricted by the terms of the gift or
8 devise, to encumber, convey, or otherwise dispose of,
9 any real property, or any estate or interest therein
10 (except property within the exterior boundaries of
11 national parks and national monuments), as may be
12 necessary and proper in carrying into effect the pur-
13 poses of the National Maritime Trust;

14 (7) To contract and make cooperative agree-
15 ments with Federal, State, or municipal departments
16 or agencies, corporations, associations, or individ-
17 uals, under such terms and conditions as it deems
18 advisable, respecting the protection, preservation,
19 maintenance, or operation of any maritime historic
20 site, building, object, or other property used in con-
21 nection therewith for public use, regardless of wheth-
22 er the National Maritime Trust has acquired title to
23 the properties, or any interest therein;

24 (8) To enter into contracts generally and to
25 execute all instruments necessary or appropriate to

1 carry out its corporate purposes, which instruments
2 shall include such concession contracts, leases, or
3 permits for the use of lands, buildings, or other
4 property deemed desirable either to accommodate
5 the public or to facilitate administration;

6 (9) To appoint and prescribe the duties of such
7 officers, agents, and employees as may be necessary
8 to carry out its functions, and to fix and pay such
9 compensation to them for their services as the Na-
10 tional Maritime Trust may determine; and

11 (10) Generally to do any and all lawful acts
12 necessary or appropriate to carry out the purposes
13 for which the National Maritime Trust is created.

14 **SEC. 5. NATIONAL MARITIME HERITAGE GRANTS PRO-**
15 **GRAM.**

16 (a) ESTABLISHMENT.—

17 (1) There is established within the Department
18 of the Interior a National Maritime Heritage Grants
19 Program to foster in the American public a greater
20 awareness and appreciation of the role of maritime
21 endeavors in our Nation's history and culture.

22 (2) Within ninety days after the date of enact-
23 ment of this Act, the Secretary, acting through the
24 Director of the National Park Service, may enter
25 into a cooperative agreement with the National Mar-

1 itime Trust for assistance in the administration of
2 the grants program.

3 (3) The Secretary shall administer a program
4 of matching grants-in-aid to carry out the purposes
5 of this Act.

6 (4)(A) In addition to the programs under para-
7 graph (3) of this subsection, the Secretary may,
8 through the National Maritime Initiative, administer
9 a program of direct grants for the preservation of
10 maritime resources. Funds to support this direct
11 grants program annually shall not exceed 10 percent
12 of the amount derived under section 6 of this Act.

13 (B) These grants may be made by the Sec-
14 retary—

15 (i) for the preservation of national mari-
16 time historic resources which are threatened
17 with demolition or impairment and for the pres-
18 ervation of maritime historic resources of sig-
19 nificance;

20 (ii) for maritime demonstration projects
21 which will provide information concerning pro-
22 fessional methods and techniques having appli-
23 cation to maritime historic resources;

24 (iii) for the training and development of
25 skilled labor in trades and crafts, and in analy-

1 sis, marine survey, and curation, relating to
2 maritime historic preservation; and

3 (iv) for educational programs to increase
4 the awareness by the American public of our
5 maritime heritage.

6 (b) GRANTS PROCESS.—

7 (1) The Secretary shall publish annually a
8 grants solicitation, together with grant priorities and
9 other relevant information, in the Federal Register
10 and otherwise as the Secretary deems appropriate.

11 (2) Each fiscal year, the Secretary, acting
12 through the National Maritime Trust, shall receive
13 and process applications for grants under the regula-
14 tions promulgated pursuant to section 11 of this
15 Act.

16 (c) NATIONAL MARITIME TRUST RESPONSIBIL-
17 ITIES.—Under the cooperative agreement executed under
18 subsection (a) of this section, the National Maritime Trust
19 shall be responsible for administration of the grants pro-
20 gram, including—

21 (1) publicizing the program to prospective
22 grantees in accordance with the regulations promul-
23 gated by the Secretary;

1 (2) answering inquiries from the public, includ-
2 ing providing information on the program as re-
3 quested;

4 (3) distributing grant applications;

5 (4) collecting proposals and ensuring their com-
6 pleteness;

7 (5) forwarding the proposals to the Committee
8 for review;

9 (6) transmitting the recommendations of the
10 Committee to the Secretary;

11 (7) keeping records of all grant awards and ex-
12 penditures of funds;

13 (8) monitoring progress of grants;

14 (9) providing progress reports to the Secretary
15 as requested; and

16 (10) any other responsibilities that the Sec-
17 retary deems appropriate.

18 (d) REPORT TO CONGRESS.—The National Maritime
19 Trust shall submit an annual report on the program to
20 the Secretary for transmittal to Congress. The report shall
21 include—

22 (1) a description of each project funded;

23 (2) the results or accomplishments of each
24 project;

1 (3) a detailed review of the National Maritime
2 Trust's operations, activities and financial condition;

3 (4) recommended priorities for achieving the
4 purposes of the Act under section 5(c)(4); and

5 (5) the audit report required under section 8.

6 (e) CRITERIA FOR GRANT ELIGIBILITY.—To qualify
7 for a grant under this section, a grantee must—

8 (1) demonstrate that the project for which
9 funding is being sought—

10 (A) has the potential for reaching a broad
11 audience with an effective educational program
12 based on American maritime history, tech-
13 nology, or the role of maritime endeavors in
14 American culture; and

15 (B) has the ability to garner support from
16 non-Federal sources;

17 (2) match the grant award with non-Federal as-
18 sets, including cash, as appropriate;

19 (3) demonstrate organizational viability;

20 (4) exhibit the existence of approved business
21 and operation plans;

22 (5) maintain records as may be reasonably nec-
23 essary to fully disclose—

24 (A) the amount and the disposition of the
25 proceeds of the grant;

1 (B) the total cost of the project for which
2 the grant is given or used;

3 (C) the amount and nature of that portion
4 of the cost of the project supplied by other
5 sources; and

6 (D) other records as will facilitate an effec-
7 tive audit required in regulation by the Sec-
8 retary;

9 (6) provide access for the purposes of any re-
10 quired audit and examination of any books, docu-
11 ments, papers, and records of the recipient under
12 this Act; and

13 (7) be a unit of Federal, State, or local govern-
14 ment, or a nonprofit organization that has applied
15 for, or has been granted, 501(c)(3) status.

16 (f) GRANTS.—Grants will be available for projects
17 of—

18 (1) national, regional, and local maritime his-
19 toric significance, including restoration of vessels,
20 small craft, lighthouses, and other sites, structures,
21 or objects listed on the National Register of Historic
22 Places; and

23 (2) significant educational or cultural value, in-
24 cluding museums, fishing villages, maritime edu-
25 cational waterborne-experience programs, construc-

1 tion or purchase of educational facilities, structures
2 or vessels, and other projects that the Secretary
3 deems appropriate.

4 (g) TERMS AND CONDITIONS.—

5 (1) No part of any grant made under this sec-
6 tion may be used to compensate any person inter-
7 vening in any proceeding under this Act.

8 (2) An application must be submitted in accord-
9 ance with regulations and procedures prescribed by
10 the Secretary;

11 (3) No grant may be awarded—

12 (A) unless the grantee has agreed to as-
13 sume, after completion of the project for which
14 the grant is awarded, the total cost of the con-
15 tinued maintenance, repair, and administration
16 of the property in a manner satisfactory to the
17 Secretary; and

18 (B) until the grantee has complied with
19 such further terms and conditions as the Sec-
20 retary may deem necessary or advisable.

21 (4) Except as permitted by other law, the State
22 share of the costs referred to in paragraph (3) of
23 this subsection shall be contributed by non-Federal
24 sources.

1 (5) Notwithstanding any other law, no grant
2 made pursuant to this Act shall be treated as tax-
3 able income for purposes of the Internal Revenue
4 Code of 1986.

5 (6) The Secretary shall make funding available
6 as soon as practicable after execution of a grant
7 agreement.

8 (7) The total administrative costs, direct and
9 indirect, charged for carrying out projects and pro-
10 grams may not exceed 25 percent of the aggregate
11 costs.

12 (8) The amount of funds expended on Federal
13 projects shall not exceed 20 percent of the amount
14 appropriated annually under this Act for the fund.

15 (h) REVIEW OF PROPOSALS.—

16 (1) COMMITTEE RECOMMENDATIONS.—The
17 committee established under section 7 of this Act
18 shall review the grant proposals and make rec-
19 ommendations to the Secretary as to which projects
20 should receive funding.

21 (2) SECRETARIAL APPROVAL.—Within one hun-
22 dred and twenty days of the deadline for submission,
23 the Secretary shall approve applications for grants
24 under this subsection recommended by the commit-
25 tee if the Secretary is satisfied that—

1 (A) the applicant has the requisite tech-
2 nical and financial capability to carry out the
3 project; and

4 (B) the project adequately implements the
5 objectives of the Act and will comply with sub-
6 section (g) of this section.

7 (i) WAIVER.—The Secretary may waive the require-
8 ments of this section for any grant under this Act.

9 **SEC. 6. CONVEYANCE OF NDRF VESSEL FOR SCRAPPING BY**

10 **NATIONAL MARITIME TRUST**

11 (a) VESSEL CONVEYANCE AUTHORITY.—

12 (1) IN GENERAL.—Notwithstanding any other
13 law, the Secretary of Transportation may convey to
14 the National Maritime Trust, without consideration,
15 all right, title, and interest of the United States
16 Government in each vessel which—

17 (A) is in the National Defense Reserve
18 Fleet on the date of the enactment of this sec-
19 tion;

20 (B) has no usefulness to the Government;
21 and

22 (C) is scheduled to be scrapped.

23 (2) CONDITION.—As a condition of conveying a
24 vessel to the National Maritime Trust pursuant to
25 this section, the Secretary shall require that the Na-

1 tional Maritime Trust enter into an agreement with
2 the Secretary which requires that the National Mari-
3 time Trust—

4 (A) sell the vessel for scrap purposes;

5 (B) use the proceeds of that scrapping for
6 expenses directly related to the purposes of this
7 Act; and

8 (C) comply with any other conditions the
9 Secretary considers appropriate.

10 (b) DELIVERY.—The Secretary shall deliver a vessel
11 conveyed under this section to the National Maritime
12 Trust—

13 (1) at the place where the vessel is located on
14 the date of the approval of the conveyance;

15 (2) in its condition on that date; and

16 (3) without cost to the Government.

17 (c) MINIMUM VESSEL SALE.—The National Mari-
18 time Trust shall sell a sufficient quantity of vessels annu-
19 ally to ensure that the amount derived is not less than
20 \$5,000,000 for each fiscal year beginning in fiscal year
21 1994 and ending in fiscal year 2000, and amounts as may
22 be required thereafter.

23 (d) TREATMENT OF AMOUNTS AVAILABLE TO THE
24 TRUST.—Amounts available to, or used by, the National
25 Maritime Trust pursuant to this subsection shall not be

1 considered in any determination of the amounts available
2 to the Department of the Interior.

3 (e) ADMINISTRATIVE EXPENDITURES.—

4 (1) MINIMUM AMOUNT.—Not more than 15
5 percent or \$250,000, whichever is greater, of the
6 amount derived under this section in any fiscal year
7 may be used for administering the program under
8 the cooperative agreement executed under section 5
9 of this Act.

10 (2) ALLOCATION.—Of the amount used for ad-
11 ministering the program in any fiscal year, two-
12 thirds shall be allocated to the National Maritime
13 Trust and one-third allocated to the National Park
14 Service.

15 (f) DISBURSEMENT CRITERIA.—In expending the
16 funds derived under this section, the Secretary shall give
17 due consideration to the following factors:

18 (1) the national significance of a project;

19 (2) its maritime historical and educational value
20 to the community;

21 (3) the imminence of its destruction or loss;

22 and

23 (4) the expressed intentions of the donor.

1 **SEC. 7. MARITIME HERITAGE PROGRAM GRANTS COMMIT-**
2 **TEE.**

3 (a) ESTABLISHMENT.—There is established a Mari-
4 time Heritage Grants Committee.

5 (b) MEMBERSHIP.—Within one hundred and twenty
6 days of enactment of this Act, and biennially thereafter,
7 the Secretary shall appoint the members of the Commit-
8 tee. The Committee shall consist of eleven members rep-
9 resenting various sectors of the maritime community who
10 are knowledgeable and experienced in maritime heritage
11 and preservation, and showing regional geographic bal-
12 ance, as follows:

13 (1) one representative from the field of small
14 craft preservation;

15 (2) one representative from the field of large
16 vessel preservation;

17 (3) one representative from the field of sail
18 training;

19 (4) one representative from the field of preser-
20 vation architecture;

21 (5) one representative from the field of under-
22 water archeology;

23 (6) one representative from the field of light-
24 house preservation;

25 (7) one representative from the field of mari-
26 time education;

1 (8) one representative having a military naval
2 history background;

3 (9) one representative from a maritime museum
4 or maritime historical society; and

5 (10) two representatives from the general pub-
6 lic.

7 (c) DUTIES OF THE COMMITTEE.—The duties of the
8 Committee include—

9 (1) providing oversight of the grants program
10 on a continuing basis;

11 (2) reviewing grant proposals;

12 (3) making funding recommendations to the
13 Secretary;

14 (4) identifying and advising the Secretary re-
15 garding priorities for achieving the purposes of the
16 Act;

17 (5) reviewing the National Maritime Trust's an-
18 nual grants report to the Secretary; and

19 (6) performing any other duties as the Sec-
20 retary deems appropriate.

21 (d) REPORT.—The Committee shall submit annually
22 a comprehensive report of its activities and the results of
23 its studies to the Secretary and Congress and shall from
24 time to time submit additional and special reports as it
25 deems advisable. Each report shall propose legislative en-

1 actments and other actions as, in the judgment of the
2 Committee, are necessary and appropriate to carry out its
3 recommendations and shall provide the Committee's as-
4 sessment of current and emerging problems in the field
5 of maritime historic preservation and an evaluation of the
6 effectiveness of the programs of Federal agencies, State
7 and local governments, and the private sector in carrying
8 out the purposes of this Act.

9 (e) QUORUM.—Seven members of the Committee
10 shall constitute a quorum.

11 (f) APPOINTMENTS PROCESS.—

12 (1) DUTIES OF THE SECRETARY.—The Sec-
13 retary shall—

14 (A) publicize annually in the Federal Reg-
15 ister a call for nominations with a statement
16 that the applications for nomination shall be
17 submitted to the National Maritime Trust;

18 (B) make the appointments to the Com-
19 mittee giving due consideration to the rec-
20 ommendations of the National Maritime Trust;
21 and

22 (C) designate a Chairman and a Vice
23 Chairman, from the members appointed under
24 this section. The Vice Chairman may act in
25 place of the Chairman during the absence or

1 disability of the Chairman or when the office is
2 vacant.

3 (2) DUTIES OF THE NATIONAL MARITIME
4 TRUST.—The National Maritime Trust shall—

5 (A) widely publicize the call for nomina-
6 tions in its newsletter and by any other appro-
7 priate means;

8 (B) collect nominations and categorize the
9 nominations as set forth in subsection (b); and

10 (C) submit the nominations to the Sec-
11 retary with recommendations as to appoint-
12 ments by category as set forth in subsection
13 (b).

14 (3) TERMS OF APPOINTMENTS.—The members
15 of the Committee shall be appointed for staggered
16 terms of not more than three years. If a vacancy oc-
17 curs, the Secretary shall appoint a replacement for
18 the balance of the vacated term within sixty days.

19 (g) GOVERNMENT REPRESENTATIVES.—There shall
20 be nonvoting government representatives appointed to
21 serve as advisors to the Committee as follows—

22 (1) at least one representative from the Na-
23 tional Maritime Initiative of the National Park Serv-
24 ice;

1 (2) one representative each from the Depart-
2 ment of Transportation, Department of Navy, and
3 the National Oceanographic and Atmospheric Ad-
4 ministration; and

5 (3) other representatives from interested gov-
6 ernment agencies as the Secretary deems appro-
7 priate.

8 (h) COMMITTEE INDEPENDENCE.—No officer or
9 agency of the United States shall have any authority to
10 require the Committee to submit its legislative rec-
11 ommendations, or testimony, or comments on legislation
12 to any officer or agency of the United States for approval,
13 comments, or review, prior to the submission of rec-
14 ommendations, testimony, or comments to Congress. In
15 instances in which the Committee voluntarily seeks to ob-
16 tain the comments or review of any officer or agency of
17 the United States, the Committee shall include a descrip-
18 tion of those actions in its legislative recommendations,
19 testimony, or comments on legislation that it transmits to
20 Congress.

21 (i) SECRETARIAL ASSISTANCE.—To assist the Com-
22 mittee in discharging its responsibilities under this Act,
23 the Secretary at the request of the Chairman, shall provide
24 a report to the Committee detailing the significance of any
25 maritime historic resource, describing the effects of any

1 proposed undertaking on the affected resource, and rec-
2 ommending measures to avoid, minimize, or mitigate ad-
3 verse effects.

4 (j) COMPENSATION.—A member of the Committee
5 who is not an officer or employee of the United States
6 shall serve without pay, and a member of the Committee
7 who is an officer or employee of the United States shall
8 receive no additional pay, on account of the member's
9 service on the Committee. While away from home or regu-
10 lar place of business in the performance of service for the
11 Committee, a member of the Committee shall be allowed
12 travel expenses, including per diem in lieu of subsistence,
13 in the same manner as a person employed intermittently
14 in the Government service is allowed expenses under sec-
15 tion 5703 of title 5, United States Code.

16 (k) FACA EXEMPTION.—The Committee is exempt
17 from the provisions of the Federal Advisory Committee
18 Act (86 Stat. 770).

19 **SEC. 8. INTERIM PROJECTS.**

20 (a) DETERMINATION BY COMMITTEE.—Within six
21 months of the date of enactment of this Act, the Commit-
22 tee, in consultation with the Secretary, shall determine if
23 any projects exist that meet the criteria under subsection
24 (d) of this section.

1 (b) DESIGNATION BY SECRETARY.—The Secretary
2 shall designate those projects determined qualified under
3 subsection (a) of this section to receive a grant prior to
4 issuance of the implementing regulations.

5 (c) ISSUANCE OF GRANTS.—Upon scrapping of a ves-
6 sel under section 6 of this Act, the Secretary shall disburse
7 funds derived under that section to those projects des-
8 ignated in subsection (b) of this section in the amounts
9 approved in the grant for each project.

10 (d) INTERIM CRITERIA.—To qualify for an interim
11 grant, a grantee must meet the criteria under section 5(e)
12 of this Act and—

13 (1) be a 501(c)(3) organization;

14 (2) demonstrate that the project needs acceler-
15 ated consideration to contribute to a significant na-
16 tional event relating to the maritime heritage of the
17 United States;

18 (3) establish that one-half of the matching
19 funds are in cash;

20 (4) demonstrate that the project for which
21 funding is sought is national in scope and edu-
22 cational in nature; and

23 (5) show that the proposed project is supported
24 by a broad-based membership program or group of
25 donors.

1 **SEC. 9. AUDITS OF ACCOUNTS.**

2 (a) INDEPENDENT AUDIT.—The accounts of the Na-
3 tional Maritime Trust shall be audited annually in accord-
4 ance with generally accepted auditing standards by inde-
5 pendent certified public accountants or independent li-
6 censed public accountants certified or licensed by a regu-
7 latory authority of a State or other political subdivision
8 of the United States. The audits shall be conducted at a
9 place or places where the accounts of the organization are
10 normally kept. All books, accounts, financial records, re-
11 ports, files, and all other papers, things, or property be-
12 longing to or in use by the Alliance and necessary to facili-
13 tate the audits, and full facilities for verifying transactions
14 with any assets held by depositories, fiscal agents, and
15 custodians, shall be afforded to that person or persons.
16 The report of this independent audit shall be included in
17 the report to Congress required by section 3 of this Act.

18 (b) GENERAL ACCOUNTING OFFICE AUDIT.—The fi-
19 nancial transactions of the National Maritime Trust for
20 each fiscal year may be audited by the General Accounting
21 Office in accordance with the principles and procedures
22 and under rules and regulations as may be prescribed by
23 the Comptroller General of the United States. Any audit
24 shall be conducted at the place or places where accounts
25 of the organization are normally kept. The representatives
26 of the General Accounting Office shall have access to all

1 books, accounts, records, reports, and files, and all other
2 papers, things, or property belonging to or in use by the
3 Alliance, pertaining to its financial transactions and nec-
4 essary to facilitate the audit, and shall be afforded full
5 facilities for verifying transactions with any assets held by
6 depositories, fiscal agents, and custodians. All books, ac-
7 counts, records, reports, files, papers, and property of the
8 organization shall remain in the possession and custody
9 of the organization.

10 **SEC. 10. DEFINITIONS.**

11 (a) “Committee” means the Maritime Heritage
12 Grants Committee established under section 5.

13 (b) “Secretary” means the Secretary of the Interior.

14 **SEC. 11. REGULATIONS.**

15 The Secretary, after consultation with the maritime
16 community, shall promulgate regulations within one year
17 of the date of enactment of this Act to establish terms
18 of office for committee membership, granting priorities,
19 the method of solicitation and review of grant proposals,
20 criteria for review of grant proposals, administrative re-
21 quirements, reporting and record keeping requirements,
22 and any other requirements as the Secretary deems appro-
23 priate.

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