

106TH CONGRESS
2D SESSION

S. 2487

AN ACT

To authorize appropriations for Fiscal Year 2001 for certain maritime programs of the Department of Transportation.

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 “Maritime Administra-
5 tion Authorization Act for Fiscal Year 2001”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL**
2 **YEAR 2001.**

3 Funds are hereby authorized to be appropriated, as
4 Appropriations Acts may provide, for the use of the De-
5 partment of Transportation for the Maritime Administra-
6 tion as follows:

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

10 (2) For the costs, as defined in section 502 of
11 the Federal Credit Reform Act of 1990, of guaran-
12 teed loans authorized by title XI of the Merchant
13 Marine Act, 1936 (46 U.S.C. App. 1271 et seq.),
14 \$50,000,000, to be available until expended. In addi-
15 tion, for administrative expenses related to loan
16 guarantee commitments under title XI of that Act,
17 \$4,179,000.

18 **SEC. 3. AMENDMENTS TO TITLE IX OF THE MERCHANT MA-**
19 **RINE ACT, 1936.**

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

23 **“SEC. 910. DOCUMENTATION OF CERTAIN DRY CARGO VES-**
24 **SELS.**

25 “(a) IN GENERAL.—The restrictions of section
26 901(b)(1) of this Act concerning a vessel built in a foreign

1 country shall not apply to a newly constructed drybulk or
2 breakbulk vessel over 7,500 deadweight tons that has been
3 delivered from a foreign shipyard or contracted for con-
4 struction in a foreign shipyard before the earlier of—

5 “(1) the date that is 1 year after the date of
6 enactment of the Maritime Administration Author-
7 ization Act for Fiscal Year 2001; or

8 “(2) the effective date of the OECD Ship-
9 building Trade Agreement Act.

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

16 “(1) following delivery by a foreign shipyard,
17 the vessel has any additional shipyard work nec-
18 essary to receive its initial Coast Guard certificate of
19 inspection performed in a United States shipyard;

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

23 “(3) the vessel complies with the same inspec-
24 tion standards set forth for ocean common carriers

1 in section 1137 of the Coast Guard Authorization
2 Act of 1996 (46 U.S.C. App. 1187 note); and

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

7 “(c) SECTION 12106(e) OF TITLE 46.—Section
8 12106(e) of title 46, United States Code, shall not apply
9 to a vessel built pursuant to this section.”.

10 (b) CONFORMING CALENDAR YEAR TO FEDERAL
11 FISCAL YEAR FOR SECTION 901b PURPOSES.—Section
12 901b(c)(2) of the Merchant Marine Act, 1936 (46 U.S.C
13 App. 1241f(c)(2)) is amended by striking “1986.” and in-
14 serting “1986, the 18-month period commencing April 1,
15 2000, and the 12-month period beginning on the first day
16 of October in the year 2001 and each year thereafter.”.

17 **SEC. 4. SCRAPPING OF CERTAIN VESSELS.**

18 (a) INTERNATIONAL ENVIRONMENTAL SCRAPPING
19 STANDARD.—The Secretary of State in coordination with
20 the Secretary of Transportation shall initiate discussions
21 in all appropriate international forums in order to estab-
22 lish an international standard for the scrapping of vessels
23 in a safe and environmentally sound manner.

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

1 (1) DEVELOPMENT OF A SHIP SCRAPPING PRO-
2 GRAM.—The Secretary of Transportation, in con-
3 sultation with the Secretary of the Navy, the Admin-
4 istrator of the Environmental Protection Agency, the
5 Assistant Secretary for Occupational Safety and
6 Health, and the Secretary of State, shall develop a
7 program within 9 months after the date of enact-
8 ment of this Act for the scrapping of obsolete Na-
9 tional Defense Reserve Fleet Vessels and report to
10 the Senate Committee on Commerce, Science, and
11 Transportation and the House of Representatives
12 Committee on Armed Services.

13 (A) CONTENT.—The report shall include
14 information concerning the initial determination
15 of scrapping capacity, both domestically and
16 abroad, development of appropriate regulations,
17 funding and staffing requirements, milestone
18 dates for the disposal of each obsolete vessel,
19 and long term cost estimates for the ship scrap-
20 ping program.

21 (B) ALTERNATIVES.—In developing the
22 program the Secretary of Transportation, in
23 consultation with the Secretary of the Navy, the
24 Administrator of the Environmental Protection
25 Agency, and the Secretary of State shall con-

1 sider all alternatives and available information
2 including—

3 (i) alternative scrapping sites;

4 (ii) vessel donations;

5 (iii) sinking of vessels in deep water;

6 (iv) sinking vessels for development of
7 artificial reefs;

8 (v) sales of vessels before they become
9 obsolete;

10 (vi) results from the Navy Pilot
11 Scrapping Program under section 8124 of
12 the Department of Defense Appropriations
13 Act, 1999; and

14 (vii) the Report of the Department of
15 Defense's Interagency Panel on Ship
16 Scrapping issued in April, 1998.

17 (2) SELECTION OF SCRAPPING FACILITIES.—

18 Notwithstanding the provisions of the Toxic Sub-
19 stances Control Act (15 U.S.C. 2605 et seq.), a ship
20 scrapping program shall be accomplished through
21 qualified scrapping facilities whether located in the
22 United States or abroad. Scrapping facilities shall be
23 selected on a best value basis taking into consider-
24 ation, among other things, the facilities's ability to
25 scrap vessels—

- 1 (A) economically;
- 2 (B) in a safe and timely manner;
- 3 (C) with minimal impact on the environ-
- 4 ment;
- 5 (D) with proper respect for worker safety;
- 6 and
- 7 (E) by minimizing the geographic distance
- 8 that a vessel must be towed when such a vessel
- 9 poses a serious threat to the environment.

10 (3) AMENDMENT OF NATIONAL MARITIME HER-

11 ITAGE ACT.—Section 6(e)(1) of the National Mari-

12 time Heritage Act of 1994 (16 U.S.C. 5405(e)(1))

13 is amended—

14 (A) by striking “2001” in subparagraph

15 (A) and inserting “2006”; and

16 (B) by striking subparagraph (B) and in-

17 serting the following:

18 “(B) in the most cost effective manner to the

19 United States taking into account the need for dis-

20 posal, the environment, and safety concerns; and”.

21 (4) FUNDING FOR SCRAPPING.—Section

22 2218(e)(1)(E) of title 10, United States Code, is

23 amended by inserting “and scrapping the vessels of”

24 after “maintaining”.

1 (c) LIMITATION ON SCRAPPING BEFORE PRO-
2 GRAM.—Until the report required by subsection (b)(1) is
3 transmitted to the Congress, the Secretary may not pro-
4 ceed with the scrapping of any vessels in the National De-
5 fense Reserve Fleet except the following:

- 6 (1) EXPORT CHALLENGER.
- 7 (2) EXPORT COMMERCE.
- 8 (3) BUILDER.
- 9 (4) ALBERT E. WATTS.
- 10 (5) WAYNE VICTORY.
- 11 (6) MORMACDAWN.
- 12 (7) MORMACMOON.
- 13 (8) SANTA ELENA.
- 14 (9) SANTA ISABEL.
- 15 (10) SANTA CRUZ.
- 16 (11) PROTECTOR.
- 17 (12) LAUDERDALE.
- 18 (13) PVT. FRED C. MURPHY.
- 19 (14) BEAUJOLAIS.
- 20 (15) MEACHAM.
- 21 (16) NEACO.
- 22 (17) WABASH.
- 23 (18) NEMASKET.
- 24 (19) MIRFAK.
- 25 (20) GEN. ALEX M. PATCH.

- 1 (21) ARTHUR M. HUDDALL.
- 2 (22) WASHINGTON.
- 3 (23) SUFFOLK COUNTY.
- 4 (24) CRANDALL.
- 5 (25) CRILLEY.
- 6 (26) RIGEL.
- 7 (27) VEGA.
- 8 (28) COMPASS ISLAND.
- 9 (29) DONNER.
- 10 (30) PRESERVER.
- 11 (31) MARINE FIDDLER.
- 12 (32) WOOD COUNTY.
- 13 (33) CATAWBA VICTORY.
- 14 (34) GEN. NELSON M. WALKER.
- 15 (35) LORAIN COUNTY.
- 16 (36) LYNCH.
- 17 (37) MISSION SANTA YNEZ.
- 18 (38) CALOOSAHATCHEE.
- 19 (39) CANISTEO.
- 20 (d) BIENNIAL REPORT.—Beginning 1 year after the
- 21 date of enactment of this Act, the Secretary of Transpor-
- 22 tation in coordination with the Secretary of the Navy shall
- 23 report to Congress biannually on the progress of the ship
- 24 scrapping program developed under subsection (b)(1) and

1 on the progress of any other scrapping of obsolete govern-
2 ment-owned vessels.

3 **SEC. 5. REPORTING OF ADMINISTERED AND OVERSIGHT**
4 **FUNDS.**

5 The Maritime Administration, in its annual report to
6 the Congress under section 208 of the Merchant Marine
7 Act, 1936 (46 U.S.C. App. 1118), and in its annual budg-
8 et estimate submitted to the Congress, shall state sepa-
9 rately the amount, source, intended use, and nature of any
10 funds (other than funds appropriated to the Administra-
11 tion or to the Secretary of Transportation for use by the
12 Administration) administered, or subject to oversight, by
13 the Administration.

14 **SEC. 6. MARITIME INTERMODAL RESEARCH.**

15 Section 8 of Public Law 101-115 (46 U.S.C. App.
16 1121-2) is amended by adding at the end thereof the fol-
17 lowing:

18 “(f) UNIVERSITY TRANSPORTATION RESEARCH
19 FUNDS.—

20 “(1) IN GENERAL.—The Secretary may make a
21 grant under section 5505 of title 49, United States
22 Code, to an institute designated under subsection (a)
23 for maritime and maritime intermodal research
24 under that section as if the institute were a univer-
25 sity transportation center.

1 “(2) ADVICE AND CONSULTATION OF MARAD.—
2 In making a grant under the authority of paragraph
3 (1), the Secretary, through the Research and Special
4 Programs Administration, shall advise the Maritime
5 Administration concerning the availability of funds
6 for the grants, and consult with the Administration
7 on the making of the grants.”.

8 **SEC. 7. MARITIME RESEARCH AND TECHNOLOGY DEVELOP-**
9 **MENT.**

10 (a) IN GENERAL.—The Secretary of Transportation
11 shall conduct a study of maritime research and technology
12 development, and report its findings and conclusions, to-
13 gether with any recommendations it finds appropriate, to
14 the Congress within 9 months after the date of enactment
15 of this Act.

16 (b) REQUIRED AREAS OF STUDY.—The Secretary
17 shall include the following items in the report required by
18 subsection (a):

19 (1) The approximate dollar values appropriated
20 by the Congress for each of the 5 fiscal years ending
21 before the study is commenced for each of the fol-
22 lowing modes of transportation:

23 (A) Highway.

24 (B) Rail.

25 (C) Aviation.

1 (D) Public transit.

2 (E) Maritime.

3 (2) A description of how Federal funds appro-
4 priated for research in the different transportation
5 modes are utilized.

6 (3) A summary and description of current re-
7 search and technology development funds appro-
8 priated for each of those fiscal years for maritime
9 research initiatives, with separate categories for
10 funds provided to the Coast Guard for marine safety
11 research purposes.

12 (4) A description of cooperative mechanisms
13 that could be used to attract and leverage non-fed-
14 eral investments in United States maritime research
15 and technology development and application pro-
16 grams, including the potential for the creation of
17 maritime transportation research centers and the
18 benefits of cooperating with existing surface trans-
19 portation research centers.

20 (5) Proposals for research and technology devel-
21 opment funding to facilitate the evolution of Mari-
22 time Transportation System.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated \$100,000 to carry out
25 this section.

1 **SEC. 8. AUTHORITY TO CONVEY NATIONAL DEFENSE RE-**
2 **SERVE FLEET VESSEL, GLACIER.**

3 (a) **AUTHORITY TO CONVEY.**—Notwithstanding any
4 other law, the Secretary of Transportation may, subject
5 to subsection (b), convey all right, title, and interest of
6 the United States Government in and to the vessel in the
7 National Defense Reserve Fleet that was formerly the
8 U.S.S. **GLACIER** (United States official number AGB–
9 4) to the Glacier Society, Inc., a corporation established
10 under the laws of the State of Connecticut that is located
11 in Bridgeport, Connecticut.

12 (b) **TERMS OF CONVEYANCE.**—

13 (1) **REQUIRED CONDITIONS.**—The Secretary
14 may not convey the vessel under this section unless
15 the corporation—

16 (A) agrees to use the vessel for the pur-
17 pose of a monument to the accomplishments of
18 members of the Armed Forces of the United
19 States, civilians, scientists, and diplomats in ex-
20 ploration of the Arctic and the Antarctic;

21 (B) agrees that the vessel will not be used
22 for commercial purposes;

23 (C) agrees to make the vessel available to
24 the Government if the Secretary requires use of
25 the vessel by the Government for war or na-
26 tional emergency;

1 (D) agrees to hold the Government harm-
2 less for any claims arising from exposure to as-
3 bestos, polychlorinated biphenyls, or lead paint
4 after the conveyance of the vessel, except for
5 claims arising from use of the vessel by the
6 Government pursuant to the agreement under
7 subparagraph (C); and

8 (E) provides sufficient evidence to the Sec-
9 retary that it has available for use to restore
10 the vessel, in the form of cash, liquid assets, or
11 a written loan commitment, financial resources
12 of at least \$100,000.

13 (2) DELIVERY OF VESSEL.—If the Secretary
14 conveys the vessel under this section, the Secretary
15 shall deliver the vessel—

16 (A) at the place where the vessel is located
17 on the date of conveyance;

18 (B) in its condition on that date; and

19 (C) at no cost to the United States Gov-
20 ernment.

21 (3) ADDITIONAL TERMS.—The Secretary may
22 require such additional terms in connection with the
23 conveyance authorized by this section as the Sec-
24 retary considers appropriate.

1 (c) OTHER UNNEEDED EQUIPMENT.—If the Sec-
2 retary conveys the vessel under this section, the Secretary
3 may also convey to the corporation any unneeded equip-
4 ment from other vessels in the National Defense Reserve
5 Fleet or Government storage facilities for use to restore
6 the vessel to museum quality or to its original configura-
7 tion (or both).

8 (d) RETENTION OF VESSEL IN NDRF.—The Sec-
9 retary shall retain in the National Defense Reserve Fleet
10 the vessel authorized to be conveyed under this section
11 until the earlier of—

12 (1) 2 years after the date of the enactment of
13 this Act; or

14 (2) the date of the conveyance of the vessel
15 under this section.

Passed the Senate September 28 (legislative day,
September 22), 2000.

Attest:

Secretary.

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AN ACT

To authorize appropriations for Fiscal Year 2001
for certain maritime programs of the Department
of Transportation.