

## GENERAL LEAVE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 834, as amended, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

## SANCTUARIES AND RESERVES ACT OF 1999

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1243) to reauthorize the National Marine Sanctuaries Act, as amended.

The Clerk read as follows:

H.R. 1243

*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 "Sanctuaries and Reserves Act of 1999".

## TITLE I—NATIONAL MARINE SANCTUARIES

## SEC. 101. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this title 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 National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

## SEC. 102. FINDINGS; PURPOSES AND POLICIES.

(a) FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) in paragraph (2) by inserting "cultural, archaeological," after "educational,";

(2) in paragraph (4) by inserting "as national marine sanctuaries" after "environment";

(3) in paragraph (5) by inserting "of national marine sanctuaries managed as the National Marine Sanctuary System" after "program"; and

(4) in paragraph (6) by striking "special areas" and inserting "national marine sanctuaries".

(b) PURPOSES AND POLICIES.—Section 301(b) (16 U.S.C. 1431) is amended—

(1) in paragraph (1) by inserting before the semicolon at the end the following: ", and to manage these areas as the National Marine Sanctuary System"; and

(2) in paragraph (4) by inserting before the semicolon at the end the following: "and of the natural, historical, cultural, and archaeological resources of the National Marine Sanctuary System".

## SEC. 103. DEFINITIONS.

Section 302 (16 U.S.C. 1432) is amended as follows:

(1) Paragraph (2) is amended by striking "Magnuson Fishery" and inserting "Magnuson-Stevens Fishery";

(2) Paragraph (6) is amended by striking "and" after the semicolon at the end of subparagraph (B), and by adding after subparagraph (C) the following:

"(D) the cost of curation and conservation of archaeological, historical, and cultural sanctuary resources; and

"(E) the cost of enforcement actions undertaken by the Secretary for the destruction or loss of, or injury to, a sanctuary resource";

(3) Paragraph (7) is amended by inserting ", including costs related to seizure, for-

feiture, storage, or disposal arising from liability under section 312" after "injury" the second place it appears.

(4) In paragraph (8) by inserting "cultural, archaeological," after "educational,".

(5) In paragraph (9) by striking "Fishery Conservation and Management".

(6) By striking "and" after the semicolon at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting a semicolon, and by adding at the end the following:

"(10) 'person' means any individual (whether or not a citizen or national of the United States), any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government; and

"(11) 'System' means the National Marine Sanctuary System established by section 303.".

## SEC. 104. ESTABLISHMENT OF NATIONAL MARINE SANCTUARY SYSTEM; SANCTUARY DESIGNATION STANDARDS.

(a) ESTABLISHMENT OF NATIONAL MARINE SANCTUARY SYSTEM.—Section 303 (16 U.S.C. 1433(a)) is amended by striking the heading for the section and all that follows through "(a) STANDARDS.—" and inserting before the remaining matter of subsection (a) the following:

## "SEC. 303. NATIONAL MARINE SANCTUARY SYSTEM.

"(a) ESTABLISHMENT OF SYSTEM; SANCTUARY DESIGNATION STANDARDS.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title."

(b) SANCTUARY DESIGNATION STANDARDS.—Section 303(b)(1) (16 U.S.C. 1433(b)(1)) is amended by striking "and" at the end of subparagraph (H), by striking the period at the end of subparagraph (I) and inserting a semicolon, and by adding at the end the following:

"(J) the area's value as a site for marine resources monitoring and assessment activities; and

"(K) the value of the area as an addition to the System."

(c) REPEAL.—Section 303(b)(3) (16 U.S.C. 1433(b)(3)) is repealed.

## SEC. 105. PROCEDURES FOR SANCTUARY DESIGNATION AND IMPLEMENTATION.

(a) SUBMISSION OF NOTICE OF PROPOSED DESIGNATION TO CONGRESS.—Section 304(a)(1)(C) (16 U.S.C. 1434(a)(1)(C)) is amended to read as follows:

"(C) no later than the day on which the notice required under subparagraph (A) is submitted to Office of the Federal Register, the Secretary shall submit a copy of that notice and the draft sanctuary designation documents prepared pursuant to section 304(a)(2), including an executive summary, to the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Governor of each State in which any part of the proposed sanctuary would be located."

(b) SANCTUARY DESIGNATION DOCUMENTS.—(1) IN GENERAL.—Section 304(a)(2) (16 U.S.C. 1434(a)(2)) is amended to read as follows:

"(2) SANCTUARY DESIGNATION DOCUMENTS.—The Secretary shall prepare and make available to the public sanctuary designation documents on the proposal that include the following:

"(A) A draft environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(B) (i) A resource assessment report documenting present and potential uses of the

area proposed to be designated as a national marine sanctuary, including commercial and recreational fishing, research and education, minerals and energy development, subsistence uses, and other commercial, governmental, or recreational uses.

"(ii) The Secretary, in consultation with the Secretary of the Interior, shall draft and include in the report a resource assessment section regarding any commercial, governmental, or recreational resource uses in the area under consideration that are subject to the primary jurisdiction of the Department of the Interior.

"(iii) The Secretary, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator, shall draft and include in the report a resource assessment section that includes any information on past, present, or proposed future disposal or discharge of materials in the vicinity of the area proposed to be designated as a national marine sanctuary. Public disclosure by the Secretary of such information shall be consistent with national security regulations.

"(C) A draft management plan for the proposed national marine sanctuary that includes the following:

"(i) The terms of the proposed designation.

"(ii) Proposed mechanisms to coordinate existing regulatory and management authorities within the proposed sanctuary.

"(iii) The proposed goals and objectives, management responsibilities, resource studies, and appropriate strategies for managing sanctuary resources of the proposed sanctuary, including interpretation and education, research, monitoring and assessment, resource protection, restoration, enforcement, and surveillance activities.

"(iv) An evaluation of the advantages of cooperative State and Federal management if all or part of the proposed sanctuary is within the territorial limits of any State or is superjacent to the subsoil and seabed within the seaward boundary of a State, as that boundary is established under the Submerged Lands Act (43 U.S.C. 1301 et seq.).

"(v) The proposed regulations referred to in paragraph (1)(A).

"(D) Maps depicting the boundaries of the proposed sanctuary.

"(E) The basis of the findings made under section 303(a)(2) with respect to the area.

"(F) An assessment of the considerations under section 303(b)(1).

"(G) An estimate of the annual cost to the Federal Government of the proposed designation, including costs of personnel, equipment and facilities, enforcement, research, and public education."

(2) CONFORMING AMENDMENT.—Section 302(1) (16 U.S.C. 1432(1)) is amended by striking "304(a)(1)(C)(v)" and inserting "304(a)(2)(C)".

(c) TERMS OF DESIGNATION.—Section 304(a)(4) (16 U.S.C. 1434(a)(4)) is amended in the first sentence by inserting "cultural, archaeological," after "educational,".

(d) WITHDRAWAL OF DESIGNATION.—Section 304(b)(2) (16 U.S.C. 1434(b)(2)) is amended by inserting "or System" after "sanctuary" the second place it appears.

(e) FEDERAL AGENCY ACTIONS AFFECTING SANCTUARY RESOURCES.—Section 304(d) (16 U.S.C. 1434(d)) is amended by adding at the end the following:

"(4) FAILURE TO FOLLOW ALTERNATIVE.—If the head of a Federal agency takes an action other than an alternative recommended by the Secretary and such action results in the destruction or loss of or injury to a sanctuary resource, the head of the agency shall promptly prevent and mitigate further damage and restore or replace the sanctuary resource in a manner approved by the Secretary."

(f) LIMITATION ON DESIGNATION OF NEW SANCTUARIES.—Section 304 (16 U.S.C. 1434) is amended by adding at the end the following:

“(f) LIMITATION ON DESIGNATION OF NEW SANCTUARIES.—

“(1) FUNDING REQUIRED.—The Secretary may not prepare any sanctuary designation documents for a proposed designation of a national marine sanctuary, unless the Secretary has published a finding that—

“(A) the addition of a new sanctuary will not have a negative impact on the System; and

“(B) sufficient resources were available in the fiscal year in which the finding is made to—

“(i) effectively implement sanctuary management plans for each sanctuary in the System; and

“(ii) complete site characterization studies and inventory known sanctuary resources, including cultural resources, for each sanctuary in the System within 10 years after the date that the finding is made if the resources available for those activities are maintained at the same level for each fiscal year in that 10-year period.

“(2) LIMITATION ON APPLICATION.—Paragraph (1) does not apply to any sanctuary designation documents for a Thunder Bay National Marine Sanctuary.”.

#### SEC. 106. PROHIBITED ACTIVITIES.

Section 306 (16 U.S.C. 1436) is amended—

(1) in the matter preceding paragraph (1) by inserting “for any person” after “unlawful”;

(2) in paragraph (2) by inserting “offer for sale, purchase, import, export,” after “sell.”; and

(3) by amending paragraph (3) to read as follows:

“(3) interfere with the enforcement of this title by—

“(A) refusing to permit any officer authorized to enforce this title to board a vessel subject to such person’s control for the purposes of conducting any search or inspection in connection with the enforcement of this title;

“(B) forcibly assaulting, resisting, opposing, impeding, intimidating, or interfering with any person authorized by the Secretary to implement this title or any such authorized officer in the conduct of any search or inspection performed under this title; or

“(C) knowingly and willfully submitting false information to the Secretary or any officer authorized to enforce this title in connection with any search or inspection conducted under this title; or”.

#### SEC. 107. ENFORCEMENT.

(a) POWERS OF AUTHORIZED OFFICERS TO ARREST.—Section 307(b) (16 U.S.C. 1437(b)) is amended by striking “and” after the semicolon at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting “; and”, and by adding at the end the following:

“(6) arrest any person, if there is reasonable cause to believe that such person has committed an act prohibited by section 306(3).”.

(b) CRIMINAL OFFENSES.—Section 307 (16 U.S.C. 1437) is amended by redesignating subsections (c) through (j) in order as subsections (d) through (k), and by inserting after subsection (b) the following:

“(c) CRIMINAL OFFENSES.—

“(1) OFFENSES.—A person is guilty of an offense under this subsection if the person commits any act prohibited by section 306(3).

“(2) PUNISHMENT.—Any person that is guilty of an offense under this subsection—

“(A) except as provided in subparagraph (B), shall be fined under title 18, United States Code, imprisoned for not more than 6 months, or both; or

“(B) in the case a person who in the commission of such an offense uses a dangerous weapon, engages in conduct that causes bodily injury to any person authorized to enforce this title or any person authorized to implement the provisions of this title, or places any such person in fear of imminent bodily injury, shall be fined under title 18, United States Code, imprisoned for not more than 10 years, or both.”.

(c) SUBPOENAS OF ELECTRONIC FILES.—Subsection (g) of section 307 (16 U.S.C. 1437), as redesignated by this section, is amended by inserting “electronic files,” after “books.”.

#### SEC. 108. RESEARCH, MONITORING, AND EDUCATION.

Section 309 (16 U.S.C. 1440) is amended to read as follows:

#### “SEC. 309. RESEARCH, MONITORING, AND EDUCATION.

“(a) IN GENERAL.—The Secretary shall conduct, support, and coordinate research, monitoring, and education programs consistent with subsections (b) and (c) and the purposes and policies of this title.

“(b) RESEARCH AND MONITORING.—

“(1) IN GENERAL.—The Secretary may—

“(A) support, promote, and coordinate research on, and long-term monitoring of, sanctuary resources and natural processes that occur in national marine sanctuaries, including exploration, mapping, and environmental and socioeconomic assessment;

“(B) develop and test methods to enhance degraded habitats or restore damaged, injured, or lost sanctuary resources; and

“(C) support, promote, and coordinate research on the cultural, archaeological, and historical resources of national marine sanctuaries.

“(2) AVAILABILITY OF RESULTS.—The results of research and monitoring conducted or supported by the Secretary under this subsection shall be made available to the public.

“(c) EDUCATION.—

“(1) IN GENERAL.—The Secretary may support, promote, and coordinate efforts to enhance public awareness, understanding, and appreciation of national marine sanctuaries. Efforts supported, promoted, or coordinated under this subsection must emphasize the conservation goals and public uses of national marine sanctuaries.

“(2) EDUCATIONAL ACTIVITIES.—Activities under this subsection may include education of the general public, teachers, students, national marine sanctuary users, and ocean and coastal resource managers.

“(d) INTERPRETIVE FACILITIES.—

“(1) IN GENERAL.—The Secretary may develop interpretive facilities near any national marine sanctuary.

“(2) FACILITY REQUIREMENT.—Any facility developed under this subsection must emphasize the conservation goals and public uses of national marine sanctuaries by providing the public with information about the natural, biological, ecological, and social functions and values of the national marine sanctuary, including its public uses.

“(e) CONSULTATION AND COORDINATION.—In conducting, supporting, and coordinating research, monitoring, and education programs under subsection (a) and developing interpretive facilities under subsection (d), the Secretary may consult or coordinate with Federal agencies, States, local governments, regional agencies, or other persons, including the National Estuarine Reserve System.”.

#### SEC. 109. SPECIAL USE PERMITS.

Section 310 (16 U.S.C. 1441) is amended—

(1) in subsection (b)(4), by inserting “; or post an equivalent bond,” after “general liability insurance”;

(2) by amending subsection (c)(2)(C) to read as follows:

“(C) an amount that represents the fair market value of the use of the sanctuary resources.”;

(3) in subsection (c)(3)(B), by striking “designating and”;

(4) in subsection (c) by inserting after paragraph (3) the following:

“(4) WAIVER OR REDUCTION OF FEES.—The Secretary may accept in-kind contributions in lieu of a fee under paragraph (2)(C), or waive or reduce any fee assessed under this subsection for any activity that does not derive profit from the use of sanctuary resources.”; and

(5) by amending subsection (e) to read as follows:

“(e) NOTICE.—The Secretary shall provide public notice of any determination that a category of activity may require a special use permit under this section.”.

#### SEC. 110. AGREEMENTS, DONATIONS, AND ACQUISITIONS.

(a) AGREEMENTS AND GRANTS.—Section 311(a) (16 U.S.C. 1442(a)) is amended to read as follows:

“(a) AGREEMENTS AND GRANTS.—The Secretary may enter into cooperative agreements, contracts, or other agreements with, or make grants to, States, local governments, regional agencies, interstate agencies, or other persons to carry out the purposes and policies of this title.”.

(b) USE OF RESOURCES FROM OTHER GOVERNMENT AGENCIES.—Section 311 (16 U.S.C. 1442) is amended by adding at the end the following:

“(e) USE OF RESOURCES OF OTHER GOVERNMENT AGENCIES.—The Secretary may, whenever appropriate, enter into an agreement with a State or other Federal agency to use the personnel, services or facilities of such agency on a reimbursable or non-reimbursable basis, to assist in carrying out the purposes and policies of this title.

“(f) AUTHORITY TO OBTAIN GRANTS.—Notwithstanding any other provision of law that prohibits a Federal agency from receiving assistance, the Secretary may apply for, accept, and use grants from other Federal agencies, States, local governments, regional agencies, interstate agencies, foundations, or other persons, to carry out the purposes and policies of this title.”.

#### SEC. 111. DESTRUCTION OF, LOSS OF, OR INJURY TO, SANCTUARY RESOURCES.

(a) VENUE FOR CIVIL ACTIONS.—Section 312(c) (16 U.S.C. 1443(c)) is amended—

(1) by inserting “(1)” before the first sentence;

(2) in paragraph (1) (as so designated) in the first sentence by striking “in the United States district court for the appropriate district”; and

(3) by adding at the end the following:

“(2) An action under this subsection may be brought in the United States district court for any district in which—

“(A) the defendant is located, resides, or is doing business, in the case of an action against a person;

“(B) the vessel is located, in the case of an action against a vessel; or

“(C) the destruction of, loss of, or injury to a sanctuary resource occurred.”.

(b) USE OF RECOVERED AMOUNTS.—Section 312(d) (16 U.S.C. 1443(d)) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) RESPONSE COSTS.—Amounts recovered by the United States for costs of response actions and damage assessments under this section shall be used, as the Secretary considers appropriate—

“(A) to reimburse the Secretary or any other Federal or State agency that conducted those activities; and

“(B) after reimbursement of such costs, to restore, replace, or acquire the equivalent of any sanctuary resource.

“(2) OTHER AMOUNTS.—All other amounts recovered shall be used, in order of priority—

“(A) to restore, replace, or acquire the equivalent of the sanctuary resources that were the subject of the action, including for costs of monitoring and the costs of curation and conservation of archaeological, historical, and cultural sanctuary resources;

“(B) to restore degraded sanctuary resources of the national marine sanctuary that was the subject of the action, giving priority to sanctuary resources and habitats that are comparable to the sanctuary resources that were the subject of the action; and

“(C) to restore degraded sanctuary resources of other national marine sanctuaries.”.

(c) STATUTE OF LIMITATIONS.—Section 312 (16 U.S.C. 1443) is amended by adding at the end the following:

“(e) STATUTE OF LIMITATIONS.—An action for response costs or damages under subsection (c) shall be barred unless the complaint is filed within 3 years after the date on which the Secretary completes a damage assessment and restoration plan for the sanctuary resources to which the action relates.”.

#### SEC. 112. AUTHORIZATION OF APPROPRIATIONS.

Section 313 (16 U.S.C. 1444) is amended to read as follows:

“SEC. 313. AUTHORIZATION OF APPROPRIATIONS. “There are authorized to be appropriated to the Secretary—

“(1) to carry out this title, \$26,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004; and

“(2) for construction projects at national marine sanctuaries, \$3,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004.”.

#### SEC. 113. ADVISORY COUNCILS.

Section 315(a) (16 U.S.C. 1445a(a)) is amended by striking “provide assistance to” and inserting “advise”.

#### SEC. 114. USE OF NATIONAL MARINE SANCTUARY PROGRAM SYMBOLS.

Section 316 (16 U.S.C. 1445b) is amended—

(1) in subsection (a)(4) by striking “use of any symbol published under paragraph (1)” and inserting “manufacture, reproduction, or other use of any symbol published under paragraph (1), including the sale of items bearing such a symbol.”;

(2) by amending subsection (e)(3) to read as follows:

“(3) to manufacture, reproduce, or otherwise use any symbol adopted by the Secretary under subsection (a)(1), including to sell any item bearing such a symbol, unless authorized by the Secretary under subsection (a)(4) or subsection (f); or”;

(3) by adding at the end the following:

“(f) COLLABORATIONS.—The Secretary may authorize the use of a symbol adopted by the Secretary under subsection (a)(1) by any person engaged in a collaborative effort with the Secretary to carry out the purposes and policies of this title and to benefit a national marine sanctuary or the System.”.

#### SEC. 115. CLERICAL AMENDMENTS.

(a) CORRECTION OF REFERENCES TO FORMER COMMITTEE.—The following provisions are amended by striking “Merchant Marine and Fisheries” and inserting “Resources”:

(1) Section 303(b)(2)(A) (16 U.S.C. 61433(b)(2)(A)).

(2) Section 304(a)(6) (16 U.S.C. 1434(a)(6)).

(3) Section 314(b)(1) (16 U.S.C. 1445(b)(1)).

(b) CORRECTION OF REFERENCE TO RENAMED ACT.—

Section 315(b)(2) (16 U.S.C. 1445a(b)(2)) is amended by striking “Fishery Conservation and Management”.

(c) MISCELLANEOUS.—Section 312(a)(1) (16 U.S.C. 1443(a)(1)) is amended by striking “UNITED STATES” and inserting “UNITED STATES”.

## TITLE II—NATIONAL ESTUARINE RESERVES

### SEC. 201. POLICIES.

(a) DECLARATION OF POLICY.—Section 303 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1452) is amended by striking “and” after the semicolon in paragraph (5), by striking the period at the end of paragraph (6) and inserting a semicolon, and by adding at the end the following:

“(7) to use Federal, State, and community partnerships developed through the system established by section 315 to improve the understanding, stewardship, and management of coastal areas; and

“(8) to encourage the development, application, and transfer to local, State, and Federal resources managers of innovative coastal and estuarine resources management technologies and techniques that promote the long-term conservation of coastal and estuarine resources.”.

### SEC. 202. NATIONAL ESTUARINE RESERVE SYSTEM.

Section 315 of such Act (16 U.S.C. 1461(b)) is amended to read as follows:

#### “NATIONAL ESTUARINE RESERVE SYSTEM

“SEC. 315. (a) ESTABLISHMENT OF THE SYSTEM.—(1) There is established the National Estuarine Reserve System. The System shall consist of—

“(A) each estuarine sanctuary designated under this section as in effect before the date of the enactment of the Coastal Zone Management Reauthorization Act of 1985; and

“(B) each estuarine area designated as a national estuarine reserve under subsection (b).

“(2) The purpose of the System and of each national estuarine reserve is to improve the understanding, stewardship, and management of estuarine and coastal areas through a network of areas protected by Federal, State, and community partnerships that promotes informed management of such areas through integrated programs in resource stewardship, education and training, and scientific understanding.

“(3) Each estuarine sanctuary referred to in paragraph (1)(A) is hereby designated as a national estuarine reserve.

“(b) DESIGNATION OF NATIONAL ESTUARINE RESERVES.—The Secretary may designate an estuarine area as a national estuarine reserve if—

“(1) the Government of the coastal state in which the area is located nominates the area for that designation; and

“(2) the Secretary finds that—

“(A) the estuarine area is a representative estuarine ecosystem that is suitable for long-term research and contributes to the biogeographical and typological balance of the System;

“(B) the law of the coastal state provides long-term protection for reserve resources to ensure a stable environment for research, education, and resource stewardship;

“(C) designation of the area as a reserve will serve to enhance public awareness and understanding of estuarine areas, and provide suitable opportunities for education, interpretation, training, and demonstration projects to improve coastal management; and

“(D) the coastal state in which the area is located has complied with the requirements of any regulations issued by the Secretary to implement this section.

“(c) ESTUARINE RESEARCH, EDUCATION, AND RESOURCE STEWARDSHIP GUIDELINES.—(1) The Secretary shall develop guidelines for the conduct of research, education, and resource stewardship within the System that shall include—

“(A) a mechanism for identifying, and establishing priorities among, the coastal

management issues that should be addressed through coordinated research, education, and resource stewardship within the System;

“(B) the establishment of common principles and objectives to guide the development of research, education, and resource stewardship programs within the Systems;

“(C) the identification of uniform research methodologies which will ensure comparability of data, the broadest application of research results, and the maximum use of the System for research purposes;

“(D) the establishment of performance standards upon which the effectiveness of the research, education, and resource stewardship efforts and the value of reserves within the System in addressing the coastal management issues identified in subparagraph (A) may be measured; and

“(E) the consideration of sources of funds for estuarine research, education, and resource stewardship in addition to the funds authorized under this Act, and strategies for encouraging the use of such funds within the System, with particular emphasis on mechanisms established under subsection (d).

“(2) In developing the guidelines under this section, the Secretary shall consult with prominent members of the estuarine research, education, and resource stewardship community.

“(d) PROMOTION AND COORDINATION OF ESTUARINE RESEARCH, EDUCATION, AND RESOURCE STEWARDSHIP.—(1) The Secretary shall take such actions as are necessary to promote and coordinate the use of the System for research, education, and resource stewardship purposes.

“(2) Actions under this subsection shall include the following:

“(A) Requiring that research, education, and resource stewardship activities administered or supported by the Secretary and relating to estuaries give priority consideration to activities that use the System.

“(B) Consulting with other Federal and State agencies to promote use of one or more reserves within the System by such agencies when conducting estuarine research, education, and resource stewardship activities.

“(C) Establishing partnerships with other Federal and State estuarine management programs to coordinate and collaborate on estuarine research, education, and resource stewardship.

“(e) FINANCIAL ASSISTANCE.—(1) The Secretary may, in accordance with such rules and regulations as the Secretary shall promulgate, make grants—

“(A) to a coastal state—

“(i) for purposes of acquiring such lands and waters, and any property interests therein, as are necessary to ensure the appropriate long-term management of an area as a national estuarine reserve,

“(ii) for purposes of operating or managing a national estuarine reserve and constructing appropriate reserve facilities, or

“(iii) for purposes of conducting educational or interpretive activities; and

“(B) to any coastal state or public or private person for purposes of supporting research and monitoring within a national estuarine reserve that are consistent with the research guidelines developed under subsection (c).

“(2) Financial assistance provided under paragraph (1) shall be subject to such terms and conditions as the Secretary considers necessary or appropriate to protect the interests of the United States, including requiring coastal states to execute suitable title documents setting forth the property interest or interests of the United States in any lands and waters acquired in whole or part with such financial assistance.

“(3) (A) The amount of the financial assistance provided under paragraph (1)(A)(i) with

respect to the acquisition of lands and waters, or interests therein, for any one national estuarine reserve may not exceed an amount equal to 50 percent of the costs of the lands, waters, and interests therein or \$5,000,000, whichever amount is less.

“(B)(i) Except as provided in clause (ii), the amount of the financial assistance provided under paragraph (1)(A)(ii) and paragraph (1)(B) may not exceed 70 percent of the costs incurred to achieve the purposes described in those paragraphs with respect to a reserve.

“(ii) The amount of financial assistance provided for education and interpretive activities under paragraph (1)(A)(iii) or research and monitoring activities under paragraph (1)(B) may be up to 100 percent of any costs for activities that service the System as a whole, including System-wide monitoring equipment acquisition, data management, and data synthesis, and administration and synthesis of System-wide research programs.

“(C) Notwithstanding subparagraphs (A) and (B), financial assistance under this subsection provided from amounts recovered as a result of damage to natural resources located in the coastal zone may be used to pay 100 percent of the costs of activities carried out with the assistance.

“(4)(A) The Secretary may—

“(i) enter into cooperative agreements or contracts, with, or make grants to, any non-profit organization established to benefit a national estuarine reserve, authorizing the organization to solicit donations to carry out projects, other than general administration of the reserve or the System, that are consistent with the purpose of the reserve and the System; and

“(ii) accept donations of funds and services for use in carrying out projects, other than general administration of a national estuarine reserve or the System, that are consistent with the purpose of the reserve and the System.

“(B) Donations accepted under this paragraph shall be considered as a gift or bequest to or for the use of the United States for carrying out this section.

“(f) EVALUATION OF SYSTEM PERFORMANCE.—(1) The Secretary shall periodically evaluate the operation and management of each national estuarine reserve, including coordination with State programs established under section 306, education and interpretive activities, and the research being conducted within the reserve.

“(2) If evaluation under paragraph (1) reveals that the operation and management of the reserve is deficient, or that the research, education, or resource stewardship being conducted within the reserve is not consistent with the guidelines developed under subsection (c), the Secretary may suspend the eligibility of that reserve for financial assistance under subsection (e) until the deficiency or inconsistency is remedied.

“(3) The Secretary may withdraw the designation of an estuarine areas a national estuarine reserve if evaluation under paragraph (1) reveals that—

“(A) the basis for any one or more of the findings made under subsection (b)(2) regarding that area no longer exists; or

“(B) a substantial portion of the research, education, or resource stewardship conducted within the area, over a period of years, has not been consistent with the guidelines developed under subsection (c).

“(g) REPORT.—The Secretary shall include in the report required under section 316 information regarding—

“(1) new designations of national estuarine reserves;

“(2) any expansion of existing national estuarine reserves;

“(3) the status of the research, education, and resource stewardship program being conducted within the System; and

“(4) a summary of the evaluations made under subsection (f).

“(h) DEFINITIONS.—In this section:

“(1) The term ‘estuarine area’ means an area that—

“(A) is comprised of—

“(i) any part or all of an estuary; and

“(ii) any part or all of any island, transitional area, and upland in, adjoining, or adjacent to such estuary; and

“(B) constitutes, to the extent feasible, a natural unit.

“(2) The term ‘System’ means the National Estuarine Reserve System established by this section.”.

#### SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 318(a) of such Act (16 U.S.C. 1464(a)) is amended by striking “and” after the semicolon at the end of paragraph (1)(C), and by striking paragraph (2) and inserting the following:

“(2) for grants under section 315—

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

“(B) \$8,000,000 for fiscal year 2001;

“(C) \$9,000,000 for fiscal year 2002;

“(D) \$10,000,000 for fiscal year 2003; and

“(E) \$11,000,000 for fiscal year 2004; and

“(3) for grants for construction projects at national estuarine reserves designated under section 315 and land acquisition directly related to such construction, \$12,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004.”.

#### SEC. 204. CONFORMING AMENDMENT.

Section 304(8) of such Act (16 U.S.C. 1453(8)) is amended to read as follows:

“(8) The term ‘national estuarine reserve’ means an area that is designated as a national estuarine reserve under section 315.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, I introduced H.R. 1243 to reauthorize the National Marine Sanctuary Program. National Marine sanctuaries are essential components in our efforts to protect and manage this Nation’s marine resources. I strongly support the program and believe that this legislation will strengthen the management of our existing sanctuaries.

The National Marine Sanctuaries Act of 1992 allows the Secretary of Commerce to designate and manage areas of marine environment with nationally significant and aesthetic, ecological, historical, or recreational values as national marine sanctuaries. The primary purpose of this law is to protect marine resources such as coral reefs and sunken historical vessels while facilitating all compatible public and private uses of those resources.

Twelve marine areas have been designated as national marine sanctuaries to date. They range in size from less than a quarter of a mile to over 5,300 square miles and include near-shore

coral reefs, open ocean habitat, and ship wrecks. One additional area, Thunder Bay on Michigan’s Lake Huron, is an active candidate for designation. These sanctuaries support valuable commercial activities such as fishing and kelp harvesting and provide areas for recreational boating, diving, snorkeling, and sports fishing opportunities.

The biggest hurdle facing the sanctuary program has been and continues to be inadequate funding for basic management research and outreach activities. This is a serious problem and one that is addressed by H.R. 1243. This bill limits the designation of new sanctuaries until sufficient funds have been made available to improve operations at existing sanctuaries.

I would like to make it clear, Mr. Speaker, that I am not opposed to creating new sanctuaries. They are desirable and useful, and there is a need for additional sanctuaries. However, I am concerned that NOAA has been unable to meet the management and conservation needs of the current sanctuaries, and until NOAA meets its management goals, it is inappropriate to spend scarce federal dollars to expand the system.

NOAA was concerned about the breadth of sanctuary moratorium language. H.R. 1243 addresses NOAA’s concerns and requires that before establishing a new sanctuary the Secretary must find that the new sanctuary, one, will not have a negative impact on the management of existing sanctuaries; and two, will not interfere with NOAA’s ability to complete sanctuary resource surveys for all sanctuaries within a 10-year period.

This important measure reauthorizes the National Marine Sanctuary Program for 5 years at \$29 million a year to operate, maintain, and provide facilities at the sanctuaries. This level of funding is identical to the administration’s fiscal year 2000 request and will allow the program to get on the right track.

I strongly support partnerships between sanctuaries, local entities, and volunteers. H.R. 1243 builds upon existing cooperative arrangements and authorizes the sanctuaries to enter into partnerships with local universities, aquaria, and other groups to develop visitor centers and to promote the scientific, educational, and research values of the sanctuary.

Finally, title II reauthorizes another important research element, the National Estuarine Reserve System for 5 years. The national estuary system, reserve systems, are systems of 25 research reserves that form effective partnerships between the state and Federal Government and are designed to investigate real world problems. I am very proud of the work being done, for example, at the Jacques Cousteau Reserve, which is located near my home. It is an important public educational resource for the residents of coastal New Jersey, and the research

conducted there has provided new insights into how estuaries function.

This legislation is an essential step forward in improving the operation and maintenance of our Nation's underwater park system. I urge the adoption of this important environmental measure.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I wish to thank the gentleman from Alaska (Mr. YOUNG), the chairman of our Committee on Resources, and also the ranking Democrat of our Committee on Resources, the gentleman from California (Mr. MILLER), for their support and their assistance in making this legislation be brought before the floor. And I especially want to thank the chairman of our subcommittee, the gentleman from New Jersey (Mr. SAXTON), for his efforts in bringing this bill, the reauthorization of the National Marine Sanctuaries Act this year.

Many of the provisions of this bill were developed cooperatively with the administration, and I appreciate the majority's willingness to work constructively on these issues and produce sensible legislation.

Mr. Speaker, our national marine sanctuaries are precious for their biological wealth and ecological complexity, yet regrettably we have only now begun to comprehend their true significance and understand how some of our own activities such as global warming, marine debris, water pollution, and overfishing may be causing irreparable damage to these areas.

To paraphrase the noted marine biologist and National Geographic Society's explorer in residence, Dr. Sylvia Earle who is now heading up the society's sustainable seas expeditions to explore our national marine sanctuaries, she said and I quote, "With understanding comes appreciation, and with appreciation comes protection," end of quote.

Mr. Speaker, with this legislation Congress again acknowledges that it appreciates the incredible asset that is our system of national marine sanctuaries. We have known for years that the marine sanctuaries program has been underfunded. Importantly, this legislation provides for substantially increased funding levels to support fuel operations, exploration, and research.

Clearly it is our intention to get more dollars out to the sites, especially to those sanctuaries in the Pacific which have been little increased in their budget allotments over the past few years. I look forward toward working collaboratively with the chairman of our subcommittee, the gentleman from New Jersey (Mr. SAXTON), and our colleagues on the Committee on Appro-

priations to fully fund these authorized levels. Increased funding and other helpful improvements contained in this bill should strengthen the future of this entire system of marine-protected areas.

However, Mr. Speaker, I and the other members, Democratic members of the Committee on Resources, continue to be troubled with the inclusion of title II of this bill. The problem is not with the substance of the provision. We support the reauthorization of the National Estuarine Research Reserve System, but we contend that it rightfully belongs in another bill, one to reauthorize the Coastal Zone Management Act.

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Mr. Speaker, since its inception, the National Estuarine Research Reserve System has always been part of the Coastal Zone Management Act. In fact, the National Estuarine Research Reserve System reauthorization is also included in H.R. 2669, the chairman's bill, the legislation of the gentleman from New Jersey (Mr. SAXTON) to reauthorize the Coastal Zone Management Act.

That bill was reported from the Subcommittee on Fisheries Conservation, Wildlife and Oceans on August 5, which is last month. Unfortunately, the bill of the reauthorization has not yet been scheduled for markup and it is my sincere hope that we will be able to provide a markup for this legislation in the near future.

Mr. Speaker, I worry that tacking the Reserves provision onto the marine sanctuary bill will remove any incentive for the majority to pursue reauthorization of the Coastal Zone Management Act. This procedure sends a strong signal that the majority may have no intention whatsoever of moving the Coastal Zone Management Act bill in this Congress. I have heard this very same concern raised by several State coastal managers who are greatly concerned about what this move means to the Coastal Zone Management Act program funding for this year.

I am very concerned that our committee cannot report this as a clean bill to the Coastal Zone Management Act. This statute was reauthorized by unanimous vote only 3 years ago by my good friend in the Republican majority of the Congress. It authorizes a widely popular voluntary Federal/State partnership program that embodies many of the very same principles of government that the majority usually extols.

Mr. Speaker, I strongly support the reauthorization of the National Marine Sanctuary Program. In addition, I support the reauthorization of the National Estuarine Research Reserves, but urge that it be included as part of the Coastal Zone Management Act, where it belongs, in statute as well as in practice.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I have no speakers at this time, and I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, it is my pleasure to rise in strong support of the National Marine Sanctuaries Enhancement Act of 1999. I commend the gentleman from New Jersey (Mr. SAXTON) and the ranking member, the gentleman from American Samoa (Mr. FALEOMAVAEGA), for their efforts to move this important legislation through committee and on to the floor so expeditiously.

The National Marine Sanctuary Program is vital to protect and manage our Nation's outstanding marine areas. It protects over 18,000 square miles of our Nation's most unique marine resources. The National Marine Sanctuary Program is the equivalent of our national parks. It identifies, designates, and protects these areas of the marine environment deserving special protection and recognition.

It is an extremely popular and strategic program and currently supports 12 designated sanctuaries, covering areas on both coasts, the Gulf of Mexico, Hawaii, and American Samoa. I am proud to have one of these sanctuaries in my district in California, the Channel Islands National Marine Sanctuary. As the only program designed to manage these important and ecologically sensitive areas, the sanctuaries protect our marine heritage for generations to come. They also help sustain critical resources and vibrant economies for our coastal communities which impacts the country as a whole.

Last year marked the International Year of the Ocean, which brought increased attention to the National Marine Sanctuary Program. The legislation we are considering today builds upon this momentum and is the underlying commitment toward our oceans.

The Marine Sanctuary Program has also spurred a number of innovative programs. One such program that I am particularly excited about was announced by the vice president earlier this month. It is a program to train and employ commercial fishing folk in research efforts at our Channel Islands National Marine Sanctuary. After all, it is the fishermen and women who are the experts on the resources of the waters on which they rely for their livelihood and on which we rely for our enjoyment and our food. It is programs like this that make our National Marine Sanctuary Program so vital.

In addition to passing this bill today, we must also ensure appropriate funding for the Marine Sanctuary Program. I urge my colleagues to join me in this vital effort. Full funding of our sanctuaries is imperative to fulfill its important mandate. I urge all colleagues to come together in fully supporting our National Marine Sanctuary Program. A commitment to our oceans is a commitment to the quality of life for all Americans.

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly want to commend the gentlewoman from California (Mrs. CAPP) for her eloquent statement. She certainly has been one of the outstanding leaders certainly of this body concerning the environment.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker. I thank the gentleman from American Samoa (Mr. FALEOMAVAEGA) for yielding me this time.

Mr. Speaker, I rise in strong support of the bill of the gentleman from New Jersey (Mr. SAXTON). I am here to really praise the chairman of the committee. He is an avid supporter of ocean issues and coastal issues and sanctuary issues and it is very pleasing that we have one of the bills that relates to that issue here on the floor today, the reauthorization of the National Marine Sanctuaries Act.

We have 12 national marine sanctuaries, as the chairman indicated. One of those, the biggest one in the whole system, is in my district in Monterey Bay, and it goes almost down to the home of the gentlewoman from California (Mrs. CAPP) in Santa Barbara and up to San Francisco.

It is a bottom's up process. The people in the local community decided they wanted to have one of these designations, and it has worked very well. In fact, we celebrated the anniversary of the system just last weekend.

I would be remiss in standing and praising the action of the committee and the support for this legislation without pointing out to my colleagues and particularly my colleagues on the other side of the aisle, the chair of the full committee and the Republican leadership in this House, that we cannot talk about an ecosystem such as a sanctuary without talking about what is also related, which is the ocean on the outer side and the coastal zone which is on the inland side.

What we are seeing here is a politic that is cherry picking, it is taking that which is very popular with the people and certainly noncontroversial, like the National Marine Estuary and Reserve Program, which belongs in another jurisdiction but is being removed and put into this bill because this bill is going to pass. What we ought to be dealing with is really two major comprehensive pieces of legislation. One is the oceans in general. We had a national oceans conference, a bipartisan support of that conference in California last year.

This Congress is remiss. I mean, the last time we asked for interest in the oceans, to ask a professional body to come back and make recommendations to this, was when the Stratton Commission was created, 33 years ago.

So our policy on the oceans seems to be ranking that long ago, and we ought to be updating that with a new type of Stratton Commission.

I have introduced a bill. It is in the Committee on Resources. It remains

stagnant there because the committee does not want to take up oceans bills. It does not want to take up coastal zone management bills. But it does, and I am proud of that, it is taking up the marine sanctuary bill. Let us get on with the whole program. We just cannot fix the ocean by essentially saying all the land in America can be fixed by just saving a few national parks and the rest of it could all go to naught.

So if we do not pay attention to the whole system, even the marine sanctuaries will not survive.

Fifty percent of the Nation's population lives within 50 miles of a coastal zone. The coastal zone is where the land and water meet. It is the freshest of our ecosystems. It has half of the Nation's threatened and endangered species living in that coastal area. The Food and Agricultural Organization, known as the FAO, concludes that most of our fish stocks are fully fished, over fished, or depleted or recovering. So we are living on the ocean. We are taking stuff out. We are dumping what we do not want into it, and we are not solving the whole big program.

Thank God, Congress invented a program called the National Marine Sanctuaries Program because at least we can pay attention to 12 zones of the ocean in the entire continental United States and do something about it, but the rest of it we ought to get on with the more important bigger pieces of legislation, both the Coastal Zone Management Act and the Oceans Act. And I commend the chairman for his interest and hope that he can release those other bills from full committee as soon as possible.

I thank the chairman very much, thank him for his good work. I look forward to working with him.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from California (Mr. FARR) for his statement in support of this legislation. I want to say to the gentleman, as a former member of our Committee on Resources and certainly a champion of the oceans, along with the gentleman from Pennsylvania, I believe that they have worked very well in alerting the Members of the importance of our oceans, and I know and sincerely hope that my good friend, the chairman of our subcommittee, that we will be taking up the legislation concerning oceans some time in the near future.

Mr. Speaker, I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to thank and commend the gentleman from American Samoa (Mr. FALEOMAVAEGA), as well as the gentleman from California (Mr. FARR), and gentlewoman from California (Mrs. CAPP) for their great support on this bill. It is through teamwork like this that we do move forward together on important matters such as this.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support this bill because it reauthorizes both the National Marine Sanctuaries and National Estuarine Research Reserve programs for five years (through FY 2004)—authorizing a total of \$145 million for the Marine Sanctuaries program (\$29 million in FY 2000) and \$105 million for the National Estuarine Reserve program (\$19 million in FY 2000).

The measure authorizes a total of \$145 million through FY 2004 (\$29 million per year) for the National Marine Sanctuaries program. Within this total, \$26 million is authorized each year for NOAA administration and operations at marine sanctuaries, and \$3 million is authorized for construction activities.

The bill consolidates the 12 existing individual national marine sanctuaries into a new National Marine Sanctuary System, so that these resources may be managed on a more coordinated, systematic basis.

The measure clarifies and streamlines procedures under which NOAA may designate marine sanctuaries, but it prohibits the agency from designating any additional sanctuaries unless NOAA certifies that the addition of a new sanctuary will not have a negative impact on the sanctuary system, and that sufficient funding is available to implement management plans and complete site characterization studies within 10 years.

The bill is vitally important because it makes it illegal to "offer to sell," to buy, or to import or export sanctuary resources (currently, it is only illegal to actually sell such resources), and it establishes criminal penalties—including fines and imprisonment—for persons who interfere with marine sanctuary enforcement actions (currently, civil penalties may be imposed for certain other infractions). Specific actions for which such criminal penalties may be imposed include refusal to allow authorized searches of vessels, forcibly assaulting or resisting an officer, and knowingly and willfully submitting false information.

The bill authorizes NOAA to initiate, in any federal district court in which a defendant is located, civil actions against vessel owners for damages caused by vessels to marine sanctuaries, and it allows NOAA to recover "response costs" against such defendants.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 1243, which reauthorizes the National Marine Sanctuaries Act and the National Estuarine Research Reserve System.

The National Marine Sanctuaries Program is our nation's underwater park system. This is a good bill that will improve the operation of the program. I strongly support the provision that limits NOAA's ability to designate new National Marine Sanctuaries until the management plans at existing sanctuaries are implemented and significant progress has been made toward completing on-site studies. With limited funding, it is inappropriate to spend scarce dollars to expand the system while management of the existing sanctuaries consistently falls short.

Title II reauthorizes the National Estuarine Reserve System, a program which establishes Federal-state partnerships for managing and enhancing our estuaries. The program is supported with matching funds provided by the states and the Federal Government, and much of the day-to-day management of the reserves is left to the state or local partner. The National Estuarine Reserve Program is not a regulatory program, but rather maintains a mission of research, monitoring and education.

One of the newest reserves is located in Kachemak Bay, Alaska, which is contiguous with the southeastern entrance of Cook Inlet. This reserve encompasses nearly 365 thousand acres of aquatic habitat. This reserve is managed in cooperation with the Alaska Department of Fish and Game, and provides an area for researching and monitoring important Pacific salmon habitat. I believe that the Kachemak Bay Reserve serves an important function for monitoring coastal resources and maintaining healthy fish stocks.

I urge the adoption of H.R. 1243.

Mr. SAXTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the bill, H.R. 1243, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

"A bill to reauthorize and amend the National Marine Sanctuaries Act, and for other purposes."

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1243, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### COASTAL BARRIER RESOURCES REAUTHORIZATION ACT OF 1999

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1431) to reauthorize and amend the Coastal Barrier Resources Act, as amended.

The Clerk read as follows:

H.R. 1431

*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 Barrier Resources Reauthorization Act of 1999".

##### SEC. 2. ADDITIONS TO COASTAL BARRIER RESOURCES SYSTEM.

(a) VOLUNTARY ADDITIONS.—Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503) is amended by adding at the end the following:

"(d) VOLUNTARY ADDITIONS TO SYSTEM.—The Secretary may add any parcel of real property to the System, if—

"(1) the owner of the parcel requests that the Secretary add the parcel to the System; and

"(2) the parcel is a depositional geologic feature described in section 3(1)(A)."

(b) TECHNICAL AMENDMENTS RELATING TO ADDITIONS OF EXCESS PROPERTY.—

(1) IN GENERAL.—Section 4(d) of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note)—

(A) is redesignated and moved so as to appear as subsection (e) of section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503); and

(B) is amended—

(i) in paragraph (1) by striking "one hundred and eighty" and inserting "180";

(ii) in paragraph (2) by striking "subsection (d)(1)" and inserting "paragraph (1)"; and

(iii) by striking paragraph (3).

(2) CONFORMING AMENDMENT.—Section 4(f) of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note) is repealed.

(c) NOTICE REGARDING ADDITIONS TO SYSTEM.—Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503) is further amended by adding at the end the following:

"(f) NOTICE REGARDING ADDITIONS TO SYSTEM.—The Secretary shall—

"(1) publish in the Federal Register a notice of any addition of property to the System under this section, including notice of the availability of a map showing the location of the property;

"(2) provide a copy of that map to the State and local government in which the property is located and the Committee on Resources of the House of Representatives; and

"(3) revise the maps referred to in subsection (a) to reflect the addition of the property to the System."

(d) CONFORMING AMENDMENT.—Subsection (a) of section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) is amended by striking ", which shall consist of" and all that follows through the end of that subsection and inserting the following: ", that—

"(1) shall consist of those undeveloped coastal barriers and other areas located on the coasts of the United States that are identified and generally depicted on the set of maps on file with the Secretary entitled 'Coastal Barrier Resources System', dated October 24, 1990, as such maps may be modified, revised, corrected, or replaced under subsection (c), (d), or (e) of this section, or any other provision of law enacted on or after November 16, 1990, that specifically authorizes the modification, revision, correction, or replacement; and

"(2) includes areas added to the System in accordance with subsections (d) or (e)."

##### SEC. 3. CLERICAL AMENDMENTS.

(a) COASTAL BARRIER RESOURCES ACT.—The Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.) is amended—

(1) in section 3(3) (16 U.S.C. 3502(3)), in the matter following subparagraph (D), by striking "Effective October 1, 1983, such" and inserting "Such"; and

(2) by repealing section 10 (16 U.S.C. 3509).

(b) COASTAL BARRIER IMPROVEMENT ACT OF 1990.—Section 8 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note) is repealed.

##### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 12 of the Coastal Barrier Resources Act (16 U.S.C. 3510) is redesignated as section 10 and amended to read as follows:

##### "SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Secretary to carry out this Act \$2,000,000 for each of fiscal years 2000, 2001, 2002, 2003, and 2004."

##### SEC. 5. DIGITAL MAPPING PILOT PROJECT.

(a) REQUIREMENT TO UNDERTAKE PROJECT.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Director of the Federal Emergency Management Agency, shall undertake a pilot project to determine the feasibility and cost of creating digital versions of the Coastal Barrier Resources System maps referred to in section 4(a)(1) of the Coastal Barrier Resources Act, as amended by this Act. The pilot project shall

include the creation of digital maps for at least 5 units of the System.

(2) USE OF EXISTING DATA.—(A) To the extent practicable, in completing the pilot project under this subsection, the Secretary shall use existing digital spatial data including digital orthophotos; shoreline, elevation, and bathymetric data; and electronic navigational charts in the possession of other Federal agencies, including the United States Geological Survey and the National Oceanic and Atmospheric Administration.

(B) The head of any Federal agency that possesses digital spatial data referred to in subparagraph (A) shall promptly provide that data to the Secretary at no cost upon request by the Secretary.

(3) OBTAINING ADDITIONAL DATA.—If the Secretary determines that data necessary to complete the pilot project under this subsection does not exist, the Secretary shall enter into an agreement with the Director of the United States Geological Survey under which the Director shall obtain, in cooperation with other Federal agencies, as appropriate, and provide to the Secretary any digital spatial data required to carry out this subsection.

(4) DATA STANDARDS.—All digital spatial data used or created to carry out this subsection shall comply with the National Spatial Data Infrastructure established by Executive Order 12906 and any other standards established by the Federal Geographic Data Committee established by the Office of Management and Budget Circular A-16.

(5) DIGITAL MAPS NOT CONTROLLING.—Any determination of whether a location is inside or outside of the System shall be made without regard to the digital maps prepared under this subsection.

(6) REPORT.—(A) Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Resources of the House of Representatives that describes the results of the pilot project and the feasibility, data needs, and costs of completing digital maps for the entire System.

(B) The report shall include a description of—

(i) the cooperative agreements entered into by the Secretary with other Federal agencies to complete the pilot project and cooperative agreements needed to complete digital mapping of the entire System;

(ii) the availability of existing data to complete digital mapping of the entire System;

(iii) the need for additional data to complete digital mapping of the entire System; and

(iv) the funding needed to complete digital mapping of the entire System.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior \$500,000 for each of fiscal years 2000, 2001, and 2002 to carry out the pilot project required under this section.

##### SEC. 6. CORRECTIONS TO MAPS RELATING TO UNIT P19-P.

(a) IN GENERAL.—The Secretary of the Interior shall, before the end of the 30-day period beginning on the date of the enactment of this Act, make such corrections to the map described in subsection (b) as are necessary to ensure that depictions of areas on that map are consistent with the depictions of areas appearing on the map relating to unit P19-P entitled "Amendment to the Coastal Barrier Resources System" and dated September 16, 1998.

(b) MAP DESCRIBED.—The map described in this subsection is the map that—

(1) is included in a set of maps entitled "Coastal Barrier Resources System", dated November 2, 1994; and