

(D) other relevant information.

(2) Receipt and approval or disapproval of direct grant and subgrant applications

Within 60 days after the submission of recommendations by the Committee to the Secretary under subsection (h)(6) of this section, the Secretary shall review and approve or disapprove a direct grant or subgrant for each project recommended by the Committee and provide to the Committee and the applicant the reasons for that approval or disapproval.

(h) Direct grant and subgrant administration

The National Trust shall be responsible for administering subgrants for maritime heritage education projects under subsection (b) of this section, the Secretary shall be responsible for administering direct grants for maritime heritage preservation projects under subsection (c) of this section, and the various State Historic Preservation Officers shall be responsible for administering subgrants for maritime heritage preservation projects under subsection (c) of this section, by—

(1) publicizing the Program to prospective grantees, subgrantees, and to the public at large, in cooperation with the National Park Service, the Maritime Administration, and other appropriate government agencies and private institutions;

(2) answering inquiries from the public, including providing information on the Program as requested;

(3) distributing direct grant and subgrant applications;

(4) receiving direct grant and subgrant applications and ensuring their completeness;

(5) forwarding the applications to the Committee for review and recommendation;

(6) submitting to the Secretary applications that the Committee recommends should be approved by the Secretary;

(7) keeping records of all direct grant and subgrant awards and expenditures of funds;

(8) monitoring progress of projects carried out with direct grants and subgrants; and

(9) providing to the Secretary such progress reports as may be required by the Secretary.

(i) Assistance of maritime preservation organizations

The Secretary, the National Trust, and the State Historic Preservation Officers may, individually or jointly, enter into cooperative agreements with any private nonprofit organization with appropriate expertise in maritime preservation issues, or other qualified maritime preservation organizations, to assist in the administration of the Program.

(j) Grants for interim projects

(1) Grants authority

The Secretary, subject to paragraph (3), may use amounts available under section 5405(b)(2) of this title to make one or more grants described in paragraph (2).

(2) Grants described

The grants referred to in paragraph (1) are the following:

(A) A grant to the National Museum Association (a nonprofit organization located in

San Francisco, California) for payment of expenses directly related to the preservation and restoration of the historic fleet of the San Francisco Maritime National Historical Park, located in San Francisco, California.

(B) A grant to the Virginia V Foundation (a nonprofit organization) for use in restoration and preservation of the historic steamship VIRGINIA V.

(C) A grant to any nonprofit organization which operates and maintains a former hospital ship to be converted to engage in public health activities, for use in refurbishing and maintaining the ship for those activities.

(D) A grant to the Mariners' Museum (a not-for-profit educational institution located in Newport News, Virginia,² for use for expenses directly related to the computerization of the library and archives of that museum, including for the purpose of providing to the public enhanced national access to those materials.

(E) A grant for each of fiscal years 1996, 1997, 1998, 1999, and 2000 to the Center for Maritime and Underwater Resource Management at Michigan State University, for a pilot project to plan, design, implement, and evaluate innovative approaches to management and development of maritime and underwater cultural resources at the following sites: Thunder Bay, the Manitou Passage, Isle Royale National Park, Keweenaw Peninsula, Marquette County, Alger County, Whitefish Point, the Straits of Mackinac, the Thumb Area, and Sanilac Shores.

(3) Grant conditions

The Secretary may not make a grant under this subsection unless the grantee complies with the requirements set forth in paragraphs (1) through (5) of subsection (d) of this section.

(k) Report to Congress

The Secretary shall submit to the Congress, after review by the Committee, an annual report on the Program, including—

(1) a description of each project funded under the Program in the period covered by the report;

(2) the results or accomplishments of each such project; and

(3) recommended priorities for achieving the policy set forth in section 5402 of this title.

(Pub. L. 103-451, § 4, Nov. 2, 1994, 108 Stat. 4770.)

§ 5404. National Maritime Heritage Grants Advisory Committee

(a) Establishment

There is hereby established a National Maritime Heritage Grants Advisory Committee.

(b) Membership

(1) In general

The Committee shall consist of 13 members appointed by the Secretary from among individual members of the public who—

(A) are representatives of various sectors of the maritime community who are knowl-

²So in original. The comma probably should be a closing parenthesis.

edgeable and experienced in maritime heritage and preservation;

(B) to the extent practicable, are selected in a manner that ensures regional geographic balance;

(C) to the extent practicable, include a representative of each of the fields of—

- (i) small craft preservation;
- (ii) large vessel preservation;
- (iii) sail training;
- (iv) preservation architecture;
- (v) underwater archaeology;
- (vi) lighthouse preservation;
- (vii) maritime education;
- (viii) military naval history;
- (ix) maritime museums or historical societies;
- (x) maritime arts and crafts;
- (xi) maritime heritage tourism; and
- (xii) maritime recreational resources management; and

(D) include a member of the general public.

(2) Ex officio members

In addition to the members appointed under paragraph (1), the President of the National Trust and the President of the National Conference of State Historic Preservation Officers (or their respective designees) shall be ex officio voting members of the Committee.

(3) Term

The term of a member of the Committee appointed under paragraph (1) shall be 3 years, except that of the members first appointed 4 shall be appointed for an initial term of 1 year and 4 shall be appointed for an initial term of 2 years, as specified by the Secretary at the time of appointment.

(4) Completion of appointments

The Secretary shall complete appointment of the members of the Committee under paragraph (1) by not later than 120 days after November 2, 1994.

(5) Vacancies

In the case of a vacancy in the membership of the Committee appointed under paragraph (1), the Secretary shall appoint an individual to serve the remainder of the term that is vacant by not later than 60 days after the vacancy occurs.

(c) Federal Government ex officio members

There shall be ex officio Federal Government members of the Committee as follows:

(1) At least 1 individual designated by each of—

- (A) the Director of the National Park Service;
- (B) the Administrator of the Maritime Administration;
- (C) the Commandant of the Coast Guard;
- (D) the Secretary of the Navy;
- (E) the Administrator of the National Oceanic and Atmospheric Administration; and
- (F) the Advisory Council on Historic Preservation.

(2) Other representatives designated by the heads of such other interested Federal Govern-

ment agencies as the Secretary considers appropriate.

(d) Duties of Committee

The duties of the Committee include—

- (1) reviewing direct grant and subgrant proposals and making funding recommendations to the Secretary;
- (2) identifying and advising the Secretary regarding priorities for achieving the policy set forth in section 5402 of this title;
- (3) reviewing the Secretary's annual report to the Congress under section 5403(k) of this title; and
- (4) performing any other duties the Secretary considers appropriate.

(e) Quorum

Nine members of the Committee shall constitute a quorum for making recommendations on subgrant applications.

(f) Appointments process

The Secretary shall—

- (1) publicize annually, in the Federal Register and through publications of preservation and maritime organizations, a request for submission of nominations for appointments to the Committee under subsection (b)(1) of this section; and
- (2) designate from among the members of the Committee—
 - (A) a Chairman; and
 - (B) a Vice Chairman who may act in place of the Chairman during the absence or disability of the Chairman or when the office of Chairman is vacant.

(g) Compensation and travel expenses

An individual shall not receive any pay by reason of membership on the Committee. While away from home or regular place of business in the performance of service for the Committee, a member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as a person employed intermittently in the Government service is allowed expenses under section 5703 of title 5.

(h) Staff of Federal agencies

Upon request of the Committee, the Secretary may detail, on a reimbursable basis, any of the personnel of the Department of the Interior to the Committee to assist it in carrying out its duties under this chapter.

(i) Administrative support services

Upon the request of the Committee, the National Trust shall provide to the Committee the support services necessary for the Committee to carry out its duties under this chapter.

(j) Relationship to other law

The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee, except that meetings of the Committee may be closed to the public by majority vote and section 14(b) of that Act does not apply to the Committee.

(k) Termination

The Committee shall terminate on September 30, 2000.

(Pub. L. 103-451, § 5, Nov. 2, 1994, 108 Stat. 4774.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (j), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 5405. Funding**(a) Availability of funds from sale and scrapping of obsolete vessels****(1) In general**

Notwithstanding any other provision of law, the amount of funds credited in a fiscal year to the Vessel Operations Revolving Fund established by section 1241a of title 46, Appendix, that is attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that are scrapped or sold under section 1158 or 1160(i) of title 46, Appendix, shall be available until expended as follows:

(A) 50 percent shall be available to the Administrator of the Maritime Administration for such acquisition, maintenance, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet as is authorized under other Federal law.

(B) 25 percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

(C) The remainder shall be available to the Secretary to carry out the Program, as provided in subsection (b) of this section.

(2) Application

Paragraph (1) does not apply to amounts credited to the Vessel Operations Revolving Fund before July 1, 1994.

(b) Use of amounts for Program**(1) In general**

Except as provided in paragraph (2), of amounts available each fiscal year for the Program under subsection (a)(1)(C) of this section—

(A) $\frac{1}{2}$ shall be used for grants under section 5403(b) of this title; and

(B) $\frac{1}{2}$ shall be used for grants under section 5403(c) of this title.

(2) Use for interim projects

Amounts available for the Program under subsection (a)(1)(C) of this section that are the proceeds of any of the first 8 obsolete vessels in the National Defense Reserve Fleet that are sold or scrapped after July 1, 1994, under section 1158 or 1160(i) of title 46, Appendix, are

available to the Secretary for grants for interim projects approved under section 5403(j) of this title.

(3) Administrative expenses**(A) In general**

Not more than 15 percent or \$500,000, whichever is less, of the amount available for the Program under subsection (a)(1)(C) of this section for a fiscal year may be used for expenses of administering the Program.

(B) Allocation

Of the amount available under subparagraph (A) for a fiscal year—

(i) $\frac{1}{2}$ shall be allocated to the National Trust for expenses incurred in administering grants under section 5403(b) of this title; and

(ii) $\frac{1}{2}$ shall be allocated as appropriate by the Secretary to the National Park Service and participating State Historic Preservation Officers.

(c) Disposals of vessels**(1) Requirement**

The Secretary of Transportation shall dispose of all vessels described in paragraph (2)—

(A) by September 30, 2006;

(B) in the manner that provides the best value to the Government, except in any case in which obtaining the best value would require towing a vessel and such towing poses a serious threat to the environment; and

(C) in accordance with the plan of the Department of Transportation for disposal of those vessels and requirements under sections 1158 and 1160(i) of title 46, Appendix.

(2) Vessels described

The vessels referred to in paragraph (1) are the vessels in the National Defense Reserve Fleet after July 1, 1994, that—

(A) are not assigned to the Ready Reserve Force component of that fleet; and

(B) are not specifically authorized or required by statute to be used for a particular purpose.

(d) Treatment of amounts available

Amounts available under this section shall not be considered in any determination of the amounts available to the Department of the Interior.

(Pub. L. 103-451, § 6, Nov. 2, 1994, 108 Stat. 4776; Pub. L. 105-85, div. A, title X, § 1026(c), Nov. 18, 1997, 111 Stat. 1878; Pub. L. 106-398, § 1 [div. C, title XXXV, § 3502(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-490.)

AMENDMENTS

2000—Subsec. (c)(1)(A). Pub. L. 106-398, § 1 [div. C, title XXXV, § 3502(a)(1)], substituted “2006” for “2001”.

Subsec. (c)(1)(B). Pub. L. 106-398, § 1 [div. C, title XXXV, § 3502(a)(2)], added subpar. (B) and struck out former subpar. (B) which read as follows: “in a manner that maximizes the return on the vessels to the United States; and”.

1997—Subsec. (a)(1). Pub. L. 105-85, § 1026(c)(1), inserted “or 1160(i)” after “1158” in introductory provisions.

Subsec. (b)(2). Pub. L. 105-85, § 1026(c)(1), (2), inserted “or 1160(i)” after “1158” and substituted “first 8” for “first 6”.