

Revised
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**AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MS. BORDALLO OF GUAM**

At the end of subtitle C of title XXVIII, insert the following new section:

1 **SEC. 2829. PORT OF GUAM IMPROVEMENT ENTERPRISE**
2 **PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Transportation,
4 acting through the Administrator of the Maritime Admin-
5 istration (in this section referred to as the “Adminis-
6 trator”), may establish a Port of Guam Improvement En-
7 terprise Program (in this section referred to as the “Pro-
8 gram”) to provide for the planning, design, and construc-
9 tion of projects for the Port of Guam to improve facilities,
10 relieve port congestion, and provide greater access to port
11 facilities.

12 (b) AUTHORITIES OF THE ADMINISTRATOR.—In car-
13 rying out the Program, the Administrator may—

14 (1) receive funds provided for the Program
15 from non-Federal entities, including private entities;

16 (2) provide for coordination among appropriate
17 governmental agencies to expedite the review process
18 under the National Environmental Policy Act of

1 1969 (42 U.S.C. 4321 et seq.) for projects carried
2 out under the Program;

3 (3) provide for coordination among appropriate
4 governmental agencies in connection with other re-
5 views and requirements applicable to projects carried
6 out under the Program; and

7 (4) provide technical assistance to the Port Au-
8 thority of Guam (and its agents) as needed for
9 projects carried out under the Program.

10 (c) PORT OF GUAM IMPROVEMENT ENTERPRISE
11 FUND.—

12 (1) ESTABLISHMENT.—There is established in
13 the Treasury of the United States a separate ac-
14 count to be known as the “Port of Guam Improve-
15 ment Enterprise Fund” (in this section referred to
16 as the “Fund”).

17 (2) DEPOSITS.—There shall be deposited into
18 the Fund—

19 (A) amounts received by the Administrator
20 from non-Federal sources under subsection
21 (b)(1);

22 (B) amounts transferred to the Adminis-
23 trator under subsection (d); and

24 (C) amounts appropriated to carry out this
25 section under subsection (f).

1 (3) USE OF AMOUNTS.—Amounts in the Fund
2 shall be available to the Administrator to carry out
3 the Program.

4 (4) ADMINISTRATIVE EXPENSES.—Not to ex-
5 ceed 3 percent of the amounts appropriated to the
6 Fund for a fiscal year may be used for administra-
7 tive expenses of the Administrator.

8 (5) AVAILABILITY OF AMOUNTS.—Amounts in
9 the Fund shall remain available until expended.

10 (d) TRANSFERS OF AMOUNTS.—Amounts appro-
11 priated or otherwise made available for any fiscal year for
12 an intermodal or marine facility comprising a component
13 of the Program shall be transferred to and administered
14 by the Administrator.

15 (e) LIMITATION.—Nothing in this section shall be
16 construed to authorize amounts made available under sec-
17 tion 215 of title 23, United States Code, or any other
18 amounts made available for the construction of highways
19 or amounts otherwise not eligible for making port im-
20 provements to be deposited into the Fund.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the Fund such sums
23 as may be necessary to carry out this section.

