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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To amend the Coastal Zone Management Act of 1972 to establish a Working Waterfront Task Force and a working waterfronts grant program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. PINGREE introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Coastal Zone Management Act of 1972 to establish a Working Waterfront Task Force and a working waterfronts grant program, and for other purposes.

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 “Keep America’s Water-
5 fronts Working Act”.

1 **SEC. 2. WORKING WATERFRONTS GRANT PROGRAM.**

2 The Coastal Zone Management Act of 1972 (16
3 U.S.C. 1451 et seq.) is amended by adding at the end
4 the following:

5 **“SEC. 320. WORKING WATERFRONTS GRANT PROGRAM.**

6 “(a) WORKING WATERFRONT TASK FORCE.—

7 “(1) ESTABLISHMENT AND FUNCTIONS.—The
8 Secretary of Commerce shall establish a task force
9 to work directly with coastal States, user groups,
10 and coastal stakeholders to identify and address crit-
11 ical needs with respect to working waterfronts.

12 “(2) MEMBERSHIP.—The members of the task
13 force shall be appointed by the Secretary of Com-
14 merce, and shall include—

15 “(A) experts in the unique economic, so-
16 cial, cultural, ecological, geographic, and re-
17 source concerns of working waterfronts; and

18 “(B) representatives from the National
19 Oceanic and Atmospheric Administration’s Of-
20 fice of Coastal Management, the United States
21 Fish and Wildlife Service, the Department of
22 Agriculture, the Environmental Protection
23 Agency, the United States Geological Survey,
24 the Navy, the National Marine Fisheries Serv-
25 ice, the Economic Development Agency, and

1 such other Federal agencies as the Secretary
2 considers appropriate.

3 “(3) FUNCTIONS.—The task force shall—

4 “(A) identify and prioritize critical needs
5 with respect to working waterfronts in States
6 that have a management program approved by
7 the Secretary of Commerce pursuant to section
8 306, in the areas of—

9 “(i) economic and cultural importance
10 of working waterfronts to communities;

11 “(ii) changing environments and
12 threats working waterfronts face from en-
13 vironment changes, trade barriers, sea level
14 rise, extreme weather events, ocean acidifi-
15 cation, and harmful algal blooms; and

16 “(iii) identifying working waterfronts
17 and highlighting them within communities;

18 “(B) outline options, in coordination with
19 coastal States and local stakeholders, to address
20 such critical needs, including adaptation and
21 mitigation where applicable;

22 “(C) identify Federal agencies that are re-
23 sponsible under existing law for addressing such
24 critical needs; and

1 “(D) recommend Federal agencies best
2 suited to address any critical needs for which
3 no agency is responsible under existing law.

4 “(4) INFORMATION TO BE CONSIDERED.—In
5 identifying and prioritizing policy gaps pursuant to
6 paragraph (3), the task force shall consider the find-
7 ings and recommendations contained in section VI of
8 the report entitled ‘The Sustainable Working Water-
9 fronts Toolkit: Final Report’, dated March 2013.

10 “(5) REPORT.—Not later than 18 months after
11 the date of the enactment of this section, the task
12 force shall submit a report to Congress on its find-
13 ings.

14 “(6) IMPLEMENTATION.—The head of each
15 Federal agency identified in the report pursuant to
16 paragraph (3)(C) shall take such action as is nec-
17 essary to implement the recommendations contained
18 in the report by not later than 1 year after the date
19 of the issuance of the report.

20 “(b) WORKING WATERFRONT GRANT PROGRAM.—

21 “(1) The Secretary shall establish a Working
22 Waterfront Grant Program, in cooperation with ap-
23 propriate State, regional, and other units of govern-
24 ment, under which the Secretary may make a grant
25 to any coastal State for the purpose of implementing

1 a working waterfront plan approved by the Secretary
2 under subsection (c).

3 “(2) Subject to the availability of appropria-
4 tions, the Secretary shall award matching grants
5 under the Working Waterfronts Grant Program to
6 coastal States with approved working waterfront
7 plans through a regionally equitable, competitive
8 funding process in accordance with the following:

9 “(A) The Governor, or the lead agency
10 designated by the Governor for coordinating the
11 implementation of this section, where appro-
12 priate in consultation with the appropriate local
13 government, shall determine that the applica-
14 tion is consistent with the State’s or territory’s
15 approved coastal zone plan, program, and poli-
16 cies prior to submission to the Secretary.

17 “(B) In developing guidelines under this
18 section, the Secretary shall consult with coastal
19 States, other Federal agencies, and other inter-
20 ested stakeholders with expertise in working
21 waterfront planning.

22 “(C) Coastal States may allocate grants to
23 local governments, Indian Tribes, agencies, or
24 nongovernmental organizations eligible for as-
25 sistance under this section.

1 “(3) In awarding a grant to a coastal State, the
2 Secretary shall consider—

3 “(A) the economic, cultural, and historical
4 significance of working waterfront to the coast-
5 al State;

6 “(B) the demonstrated working waterfront
7 needs of the coastal State as outlined by a
8 working waterfront plan approved for the coast-
9 al State under subsection (c), and the value of
10 the proposed project for the implementation of
11 such plan;

12 “(C) the ability to successfully leverage
13 funds among participating entities, including
14 Federal programs, regional organizations, State
15 and other government units, landowners, cor-
16 porations, or private organizations;

17 “(D) the potential for rapid turnover in
18 the ownership of working waterfront in the
19 coastal State, and where applicable the need for
20 coastal States to respond quickly when prop-
21 erties in existing or potential working water-
22 front areas or public access areas as identified
23 in the working waterfront plan submitted by
24 the coastal State come under threat or become
25 available; and

1 “(E) the impact of the working waterfront
2 plan approved for the coastal State under sub-
3 section (c) on the coastal ecosystem and the
4 users of the coastal ecosystem.

5 “(4) The Secretary shall approve or reject an
6 application for such a grant within 60 days after re-
7 ceiving an application for the grant.

8 “(c) WORKING WATERFRONT PLANS.—

9 “(1) To be eligible for a grant under subsection
10 (b), a coastal State must submit and have approved
11 by the Secretary a comprehensive working water-
12 front plan in accordance with this subsection, or be
13 in the process of developing such a plan and have an
14 established working waterfront program at the State
15 or local level, or the Secretary determines that an
16 existing coastal land use plan for that State is in ac-
17 cordance with this subsection.

18 “(2) Such plan—

19 “(A) must provide for preservation and ex-
20 pansion of access to coastal waters to persons
21 engaged in commercial fishing, recreational
22 fishing and boating businesses, aquaculture,
23 boatbuilding, or other water-dependent, coastal-
24 related business;

25 “(B) shall include one or more of—

1 “(i) an assessment of the economic,
2 social, cultural, and historic value of work-
3 ing waterfront to the coastal State;

4 “(ii) a description of relevant State
5 and local laws and regulations affecting
6 working waterfront in the geographic areas
7 identified in the working waterfront plan;

8 “(iii) identification of geographic
9 areas where working waterfronts are cur-
10 rently under threat of conversion to uses
11 incompatible with commercial and rec-
12 reational fishing, recreational fishing and
13 boating businesses, aquaculture,
14 boatbuilding, or other water-dependent,
15 coastal-related business, and the level of
16 that threat;

17 “(iv) identification of geographic areas
18 with a historic connection to working wa-
19 terfronts where working waterfronts are
20 not currently available, and, where appro-
21 priate, an assessment of the environmental
22 impacts of any expansion or new develop-
23 ment of working waterfronts on the coastal
24 ecosystem;

1 “(v) identification of other working
2 waterfront needs including improvements
3 to existing working waterfronts and work-
4 ing waterfront areas;

5 “(vi) a strategic and prioritized plan
6 for the preservation, expansion, and im-
7 provement of working waterfronts in the
8 coastal State;

9 “(vii) for areas identified under
10 clauses (iii), (iv), (v), and (vi), identifica-
11 tion of current availability and potential
12 for expansion of public access to coastal
13 waters;

14 “(viii) a description of the degree of
15 community support for such strategic plan;
16 and

17 “(ix) a contingency plan for properties
18 that revert to the coastal State pursuant to
19 determinations made by the coastal State
20 under subsection (g)(4)(C);

21 “(C) may include detailed environmental
22 impacts on working waterfronts, including haz-
23 ards, sea level rise, inundation exposure, and
24 other resiliency issues;

1 “(D) may be part of the management pro-
2 gram approved under section 306;

3 “(E) shall utilize to the maximum extent
4 practicable existing information contained in
5 relevant surveys, plans, or other strategies to
6 fulfill the information requirements under this
7 paragraph; and

8 “(F) shall incorporate the policies and reg-
9 ulations adopted by communities under local
10 working waterfront plans or strategies in exist-
11 ence before the date of the enactment of this
12 section.

13 “(3) A working waterfront plan—

14 “(A) shall be effective for purposes of this
15 section for the 5-year period beginning on the
16 date it is approved by the Secretary;

17 “(B) must be updated and re-approved by
18 the Secretary before the end of such period; and

19 “(C) shall be complimentary to and incor-
20 porate the policies and objectives of regional or
21 local working waterfront plans as in effect be-
22 fore the date of enactment of this section or as
23 subsequently revised.

24 “(4) The Secretary may—

1 “(A) award planning grants to coastal
2 States for the purpose of developing or revising
3 comprehensive working waterfront plans; and

4 “(B) award grants consistent with the pur-
5 poses of this section to States undertaking the
6 working waterfront planning process under this
7 section, for the purpose of preserving and pro-
8 tecting working waterfronts during such proc-
9 ess.

10 “(5) Any coastal State applying for a working
11 waterfront grant under this title shall—

12 “(A) develop a working waterfront plan,
13 using a process that involves the public and
14 those with an interest in the coastal zone;

15 “(B) coordinate development and imple-
16 mentation of such a plan with other coastal
17 management programs, regulations, and activi-
18 ties of the coastal State; and

19 “(C) if the coastal State allows qualified
20 holders (other than the coastal State) to enter
21 into working waterfront covenants, provide as
22 part of the working waterfront plan under this
23 subsection a mechanism or procedure to ensure
24 that the qualified holders are complying their

1 duties to enforce the working waterfront cov-
2 enant.

3 “(d) USES, TERMS, AND CONDITIONS.—

4 “(1) Each grant made by the Secretary under
5 this section shall be subject to such terms and condi-
6 tions as may be appropriate to ensure that the grant
7 is used for purposes consistent with this section.

8 “(2) A grant under this section may be used—

9 “(A) to acquire a working waterfront, or
10 an interest in a working waterfront;

11 “(B) to make improvements to a working
12 waterfront, including the construction or repair
13 of wharfs, boat ramps, or related facilities; or

14 “(C) for necessary climate adaptation miti-
15 gation.

16 “(e) PUBLIC ACCESS REQUIREMENT.—A working
17 waterfront project funded by grants made under this sec-
18 tion must provide for expansion, improvement, or preser-
19 vation of reasonable and appropriate public access to
20 coastal waters at or in the vicinity of a working water-
21 front, except for commercial fishing or other industrial ac-
22 cess points where the coastal State determines that public
23 access would be unsafe.

24 “(f) LIMITATIONS.—

1 “(1) Except as provided in paragraph (2), a
2 grant awarded under this section may be used to
3 purchase working waterfront or an interest in work-
4 ing waterfront, including an easement, only from a
5 willing seller and at fair market value.

6 “(2) A grant awarded under this section may
7 be used to acquire working waterfront or an interest
8 in working waterfront at less than fair market value
9 only if the owner certifies to the Secretary that the
10 sale is being entered into willingly and without coer-
11 cion.

12 “(3) No Federal, State, or local entity may ex-
13 ercise the power of eminent domain to secure title to
14 any property or facilities in connection with a
15 project carried out under this section.

16 “(g) ALLOCATION OF GRANTS TO LOCAL GOVERN-
17 MENTS AND OTHER ENTITIES.—

18 “(1) The Secretary shall encourage coastal
19 States to broadly allocate amounts received as
20 grants under this section among working water-
21 fronts identified in working waterfront plans ap-
22 proved under subsection (c).

23 “(2) Subject to the approval of the Secretary,
24 a coastal State may, as part of an approved working
25 waterfront plan, designate as a qualified holder any

1 unit of State or local government or nongovern-
2 mental organization, if the coastal State is ulti-
3 mately responsible for ensuring that the property
4 will be managed in a manner that is consistent with
5 the purposes for which the land entered into the pro-
6 gram.

7 “(3) A coastal State or a qualified holder des-
8 ignated by a coastal State may allocate to a unit of
9 local government, nongovernmental organization,
10 fishing cooperative, or other entity, a portion of any
11 grant made under this section for the purpose of
12 carrying out this section, except that such an alloca-
13 tion shall not relieve the coastal State of the respon-
14 sibility for ensuring that any funds so allocated are
15 applied in furtherance of the coastal State’s ap-
16 proved working waterfront plan.

17 “(4) A qualified holder may hold title to or in-
18 terest in property acquired under this section, except
19 that—

20 “(A) all persons holding title to or interest
21 in working waterfront affected by a grant under
22 this section, including a qualified holder, private
23 citizen, private business, nonprofit organization,
24 fishing cooperative, or other entity, shall enter
25 into a working waterfront covenant;

1 “(B) such covenant shall be held by the
2 coastal State or a qualified holder designated
3 under paragraph (2);

4 “(C) if the coastal State determines, on
5 the record after an opportunity for a hearing,
6 that the working waterfront covenant has been
7 violated—

8 “(i) all right, title, and interest in and
9 to the working waterfront covered by such
10 covenant shall, except as provided in sub-
11 paragraph (D), revert to the coastal State;
12 and

13 “(ii) the coastal State shall have the
14 right of immediate entry onto the working
15 waterfront;

16 “(D) if a coastal State makes a determina-
17 tion under subparagraph (C), the coastal State
18 may convey or authorize the qualified holder to
19 convey the working waterfront or interest in
20 working waterfront to another qualified holder;
21 and

22 “(E) nothing in this subsection waives any
23 legal requirement under any Federal or State
24 law.

25 “(h) MATCHING CONTRIBUTIONS.—

1 “(1) Except as provided in paragraph (2), the
2 Secretary shall require that each coastal State that
3 receives a grant under this section, or a qualified
4 holder designated by that coastal State under sub-
5 section (g), shall provide matching funds in an
6 amount equal to at least 25 percent of the total cost
7 of the project carried out with the grant.

8 “(2) The Secretary may waive the application
9 of paragraph (1) for any qualified holder that is an
10 underserved community, a community that has an
11 inability to draw on other sources of funding because
12 of the small population or low income of the commu-
13 nity, or for other reasons the Secretary considers ap-
14 propriate.

15 “(3) A local community designated as a quali-
16 fied holder under subsection (g) may utilize funds or
17 other in-kind contributions donated by a nongovern-
18 mental partner to satisfy the matching funds re-
19 quirement under this subsection.

20 “(4) As a condition of receipt of a grant under
21 this section, the Secretary shall require that a coast-
22 al State provide to the Secretary such assurances as
23 the Secretary determines are sufficient to dem-
24 onstrate that the share of the cost of each eligible

1 project that is not funded by the grant awarded
2 under this section has been secured.

3 “(5) If financial assistance under this section
4 represents only a portion of the total cost of a
5 project, funding from other Federal sources may be
6 applied to the cost of the project. Each portion shall
7 be subject to match requirements under the applica-
8 ble provision of law.

9 “(6) The Secretary shall treat as non-Federal
10 match the value of a working waterfront or interest
11 in a working waterfront, including conservation and
12 other easements, that is held in perpetuity by a
13 qualified holder, if the working waterfront or inter-
14 est is identified in the application for the grant and
15 acquired by the qualified holder within 3 years of
16 the grant award date, or within 3 years after the
17 submission of the application and before the end of
18 the grant award period. Such value shall be deter-
19 mined by an appraisal performed at such time before
20 the award of the grant as the Secretary considers
21 appropriate.

22 “(7) The Secretary shall treat as non-Federal
23 match the costs associated with acquisition of a
24 working waterfront or an interest in a working wa-
25 terfront, and the costs of restoration, enhancement,

1 or other improvement to a working waterfront, if the
2 activities are identified in the project application and
3 the costs are incurred within the period of the grant
4 award, or, for working waterfront described in para-
5 graph (6), within the same time limits described in
6 that paragraph. These costs may include either cash
7 or in-kind contributions.

8 “(i) LIMIT ON ADMINISTRATIVE COSTS.—No more
9 than 5 percent of the funds made available to the Sec-
10 retary under this section may be used by the Secretary
11 for planning or administration of the program under this
12 section.

13 “(j) OTHER TECHNICAL AND FINANCIAL ASSIST-
14 ANCE.—

15 “(1) Up to 5 percent of the funds appropriated
16 under this section may be used by the Secretary for
17 purposes of providing technical assistance as de-
18 scribed in this subsection.

19 “(2) The Secretary shall—

20 “(A) provide technical assistance to coastal
21 States and local governments in identifying and
22 obtaining other sources of available Federal
23 technical and financial assistance for the devel-
24 opment and revision of a working waterfront

1 plan and the implementation of an approved
2 working waterfront plan;

3 “(B) provide technical assistance to States
4 and local governments for the development, im-
5 plementation, and revision of comprehensive
6 working waterfront plans, which may include,
7 subject to the availability of appropriations,
8 planning grants and assistance, pilot projects,
9 feasibility studies, research, and other projects
10 necessary to further the purposes of this sec-
11 tion;

12 “(C) assist States in developing other tools
13 to protect working waterfronts;

14 “(D) collect and disseminate to States
15 guidance for best storm water management
16 practices in regards to working waterfronts;

17 “(E) provide technical assistance to States
18 and local governments on integrating resilience
19 planning into working waterfront preservation
20 efforts; and

21 “(F) collect and disseminate best practices
22 on working waterfronts and resilience planning.

23 “(k) REPORTS.—

24 “(1) The Secretary shall—

1 “(A) develop performance measures to
2 evaluate and report on the effectiveness of the
3 program under this section in accomplishing the
4 purpose of this section; and

5 “(B) submit to Congress a biennial report
6 that includes such evaluations, an account of all
7 expenditures, and descriptions of all projects
8 carried out using grants awarded under this
9 section.

10 “(2) The Secretary may submit the biennial re-
11 port under paragraph (1)(B) by including it in the
12 biennial report required under section 316.

13 “(1) DEFINITIONS.—In this section:

14 “(1) The term ‘qualified holder’ means a coast-
15 al State or a unit of local or coastal State govern-
16 ment or a non-State organization designated by a
17 coastal State under subsection (g).

18 “(2) The term ‘Secretary’ means the Secretary,
19 acting through the National Oceanic and Atmos-
20 pheric Administration.

21 “(3) The term ‘working waterfront’ means real
22 property (including support structures over water
23 and other facilities) that provides access to coastal
24 waters to persons engaged in commercial and rec-
25 reational fishing, recreational fishing and boating

1 businesses, boatbuilding, aquaculture, or other
2 water-dependent, coastal-related business and is
3 used for, or that supports, commercial and rec-
4 reational fishing, recreational fishing and boating
5 businesses, boatbuilding, aquaculture, or other
6 water-dependent, coastal-related business.

7 “(4) The term ‘working waterfront covenant’
8 means an agreement in recordable form between the
9 owner of working waterfront and one or more quali-
10 fied holders, that provides such assurances as the
11 Secretary may require that—

12 “(A) the title to or interest in the working
13 waterfront will be held by a grant recipient or
14 qualified holder in perpetuity, except as pro-
15 vided in subparagraph (C);

16 “(B) the working waterfront will be man-
17 aged in a manner that is consistent with the
18 purposes for which the property is acquired
19 pursuant to this section, and the property will
20 not be converted to any use that is inconsistent
21 with the purpose of this section;

22 “(C) if the title to or interest in the work-
23 ing waterfront is sold or otherwise exchanged—

24 “(i) all working waterfront owners
25 and qualified holders involved in such sale

1 or exchange shall accede to such agree-
2 ment; and

3 “(ii) funds equal to the fair market
4 value of the working waterfront or interest
5 in working waterfront shall be paid to the
6 Secretary by parties to the sale or ex-
7 change, and such funds shall, at the dis-
8 cretion of the Secretary, be paid to the
9 coastal State in which the working water-
10 front is located for use in the implementa-
11 tion of the working waterfront plan of the
12 State approved by the Secretary under this
13 section; and

14 “(D) such covenant is subject to enforce-
15 ment and oversight by the coastal State or by
16 another person as determined appropriate by
17 the Secretary.

18 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to the Grant Program
20 \$15,000,000.”.

21 **SEC. 3. WORKING WATERFRONTS PRESERVATION FUND;**
22 **GRANTS.**

23 The Coastal Zone Management Act of 1972 (16
24 U.S.C. 1451 et seq.) is further amended by adding at the
25 end the following:

1 **“SEC. 321. WORKING WATERFRONTS PRESERVATION LOAN**
2 **FUND.**

3 “(a) FUND.—There is established in the Treasury a
4 separate account that shall be known as the ‘Working Wa-
5 terfronts Preservation Loan Fund’ (in this section re-
6 ferred to as the ‘Fund’).

7 “(b) USE.—

8 “(1) Subject to the availability of appropria-
9 tions, amounts in the Fund may be used by the Sec-
10 retary to make loans to coastal States for the pur-
11 pose of implementing a working waterfront plan ap-
12 proved by the Secretary under section 320(c)
13 through preservation, improvement, restoration, re-
14 habilitation, acquisition of working waterfront prop-
15 erties under criteria established by the Secretary.

16 “(2) Upon enactment of this section, the Sec-
17 retary of Commerce shall conduct a feasibility study
18 on the administration of the development and man-
19 agement of a Working Waterfronts Preservation
20 Loan Fund.

21 “(3) Upon the completion of the study under
22 paragraph (2), the Secretary shall establish a fund
23 in accordance with the results of that study, and es-
24 tablish such criteria as referenced in subsection (c)
25 in consultation with States that have a management
26 program approved by the Secretary of Commerce

1 pursuant to section 306 and local government coast-
2 al management programs.

3 “(c) AWARD CRITERIA.—The Secretary shall award
4 loans under this section through a regionally equitable,
5 competitive funding process, and in accordance with the
6 following:

7 “(1) The Governor, or the lead agency des-
8 ignated by the Governor for coordinating the imple-
9 mentation of this section, where appropriate in con-
10 sultation with the appropriate local government,
11 shall determine that an application for a loan is con-
12 sistent with the State’s approved coastal zone plan,
13 program, and policies prior to submission to the Sec-
14 retary.

15 “(2) In developing guidelines under this section,
16 the Secretary shall consult with coastal States, other
17 Federal agencies, and other interested stakeholders
18 with expertise in working waterfront planning.

19 “(3) Coastal States may allocate amounts
20 loaned under this section to local governments, In-
21 dian Tribes, agencies, or nongovernmental organiza-
22 tions eligible for loans under this section.

23 “(4) In awarding a loan for activities in a
24 coastal State, the Secretary shall consider—

1 “(A) the economic and cultural significance
2 of working waterfront to the coastal State;

3 “(B) the demonstrated working waterfront
4 needs of the coastal State as outlined by a
5 working waterfront plan approved for the coast-
6 al State under section 320(c), and the value of
7 the proposed loan for the implementation of
8 such plan;

9 “(C) the ability to successfully leverage
10 loan funds among participating entities, includ-
11 ing Federal programs, regional organizations,
12 State and other government units, landowners,
13 corporations, or private organizations;

14 “(D) the potential for rapid turnover in
15 the ownership of working waterfront in the
16 coastal State, and where applicable the need for
17 coastal States to respond quickly when prop-
18 erties in existing or potential working water-
19 front areas or public access areas as identified
20 in the working waterfront plan submitted by
21 the coastal State come under threat or become
22 available;

23 “(E) the impact of the loan on the coastal
24 ecosystem and the users of the coastal eco-
25 system; and

1 “(F) the extent of the historic connection
2 between working waterfronts for which the loan
3 will be used and the local communities within
4 the coastal State.

5 “(d) LOAN AMOUNT AND TERMS.—

6 “(1) The amount of a loan under this section—

7 “(A) shall be not less than \$100,000; and

8 “(B) shall not exceed 15 percent of the
9 amount in the Fund as of July 1 of the fiscal
10 year in which the loan is made.

11 “(2) The interest rate for a loan under this sec-
12 tion shall not exceed 4 percent.

13 “(3) The repayment term for a loan under this
14 section shall not exceed 20 years.

15 “(e) DEADLINE FOR APPROVAL.—The Secretary
16 shall approve or reject an application for a loan under this
17 section within 60 days after receiving an application for
18 the loan.

19 “(f) LIMIT ON ADMINISTRATIVE COSTS.—No more
20 than 5 percent of the funds made available to the Sec-
21 retary under this section may be used by the Secretary
22 for planning or administration of the program under this
23 section.

24 “(g) DEFINITIONS.—The definitions in section 320(l)
25 shall apply to this section.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to the Fund
3 \$15,000,000.”.