

103^D CONGRESS
2^D SESSION

H. R. 4383

To authorize the Secretary of Transportation to convey the vessel S/S AMERICAN VICTORY to the Battle of the Atlantic Historical Society for use as a Merchant Marine memorial, for historical preservation, and for educational activities.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 1994

Mr. MANTON introduced the following bill; which was referred to the
Committee on Merchant Marine and Fisheries

A BILL

To authorize the Secretary of Transportation to convey the vessel S/S AMERICAN VICTORY to the Battle of the Atlantic Historical Society for use as a Merchant Marine memorial, for historical preservation, and for educational activities.

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. AUTHORITY TO CONVEY VESSEL.**

4 (a) IN GENERAL.—Notwithstanding any other law,
5 the Secretary of Transportation may convey the right,
6 title, and interest of the United States Government in and
7 to the vessel S/S AMERICAN VICTORY (Victory Ship

1 VC2–S–AP3; United States official number 248005) to
2 the Battle of the Atlantic Historical Society (in this sec-
3 tion referred to as “the recipient”), if—

4 (1) the recipient agrees to use the vessel for the
5 purposes of a Merchant Marine memorial, historical
6 preservation, and educational activities;

7 (2) the vessel is not used for commercial trans-
8 portation purposes;

9 (3) the recipient agrees to make the vessel
10 available to the Government if the Secretary requires
11 use of the vessel by the Government for war or a na-
12 tional emergency;

13 (4) the recipient agrees that when the recipient
14 no longer requires the vessel for use for the purposes
15 described in paragraph (1)—

16 (A) the recipient will, at the discretion of
17 the Secretary, reconvey the vessel to the Gov-
18 ernment in good condition except for ordinary
19 wear and tear; or

20 (B) if the recipient has decided to dissolve
21 according to the laws of the State of New York,
22 then—

23 (i) the recipient shall distribute the
24 vessel, as an asset of the recipient, to a
25 person that is described in section

1 501(c)(3) of the Internal Revenue Code of
2 1986 (26 U.S.C. 501(c)(3)) and that is ex-
3 empt from taxation under section 501(a)
4 of that Code (26 U.S.C. 501(a)), or to the
5 Federal Government or a State or local
6 government for a public purpose; and

7 (ii) the vessel shall be disposed of by
8 a court of competent jurisdiction of the
9 county in which the principal office of the
10 recipient is located, for such purposes as
11 the court shall determine, or to such orga-
12 nizations as the court shall determine are
13 organized exclusively for public purposes;

14 (5) the recipient agrees to hold the Government
15 harmless for any claims arising from exposure to as-
16 bestos after conveyance of the vessel, except for
17 claims arising from use by the Government under
18 paragraph (3) or (4);

19 (6) the recipient has available, for use to re-
20 store the vessel, in the form of cash, liquid assets,
21 or a written loan commitment, financial resources of
22 at least \$100,000; and

23 (7) the recipient is described in section
24 501(c)(3) of the Internal Revenue Code of 1986 (26
25 U.S.C. 501(c)(3)) and is exempt from taxation

1 under section 501(a) of that Code (26 U.S.C.
2 501(a)).

3 (b) DELIVERY OF VESSEL.—If a conveyance is made
4 under this section, the Secretary shall deliver the vessel
5 at the place where the vessel is located on the date of en-
6 actment of this Act, in its present condition, without cost
7 to the Government.

8 (c) OTHER UNNEEDED EQUIPMENT.—The Secretary
9 may convey to the recipient any unneeded equipment from
10 other vessels in the National Defense Reserve Fleet for
11 use to restore the S/S AMERICAN VICTORY to museum
12 quality.

13 (d) RETENTION OF VESSEL IN NDRF.—The Sec-
14 retary shall retain in the National Defense Reserve Fleet
15 the vessel authorized to be conveyed under subsection (a),
16 until the earlier of—

17 (1) 2 years after the date of the enactment of
18 this Act; or

19 (2) the date of conveyance of the vessel under
20 subsection (a).

21 (e) REVERSIONARY INTEREST OF THE UNITED
22 STATES.—All right, title, and interest in and to a vessel
23 that is conveyed under subsection (a) to and held by the
24 recipient shall revert to the United States at any time that
25 it is finally determined that the recipient is not exempt

1 from taxation under section 501(a) of the Internal Reve-
2 nue Code of 1986 (26 U.S.C. 501(a)).

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