

105TH CONGRESS
1ST SESSION

S. 1259

To authorize appropriations for fiscal years 1998 and 1999 for the United States Coast Guard, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 1997

Ms. SNOWE (for herself, Mr. HOLLINGS, and Mr. BREAU) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize appropriations for fiscal years 1998 and 1999 for the United States Coast Guard, 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 “Coast Guard Author-
5 ization Act for Fiscal Years 1998 and 1999”.

6 **SEC. 2. TABLE OF SECTIONS.**

7 The table of sections for this act is as follows:

Sec. 1. Short title.

Sec. 2. Table of sections.

TITLE I—APPROPRIATIONS; AUTHORIZED LEVELS

Sec. 101. Authorization of appropriations.

Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD MANAGEMENT

Sec. 201. Severance pay.

Sec. 202. Use of appropriated funds for commercial vehicles at military funerals.

Sec. 203. Authority to reimburse Novato, California, Reuse Commission.

Sec. 204. Eliminate supply fund reimbursement requirement.

Sec. 205. Authority to implement and fund certain awards programs.

Sec. 206. Disposal of certain material to Coast Guard Auxiliary.

TITLE III—MARINE SAFETY AND ENVIRONMENTAL PROTECTION

Sec. 301. Alcohol testing.

Sec. 302. Penalty for violation of International Safety Convention.

Sec. 303. Protect marine casualty investigations from mandatory release.

Sec. 304. Eliminate biennial research and development report.

Sec. 305. Extension of territorial sea for certain laws.

Sec. 306. Law enforcement authority for special agents of the Coast Guard Investigative Service.

TITLE IV—MISCELLANEOUS

Sec. 401. Vessel Identification System Amendments.

Sec. 402. Conveyance of communication station Boston Marshfield receiver site, Massachusetts.

Sec. 403. Conveyance of Nahant parcel, Essex County, Massachusetts.

Sec. 404. Conveyance of Eagle Harbor Light Station.

Sec. 405. Conveyance of Coast Guard station, Ocracoke, North Carolina.

Sec. 406. Conveyance of Coast Guard property to Jacksonville University, Florida.

Sec. 407. Coast Guard City, USA.

Sec. 408. Vessel documentation clarification.

1 **TITLE I—APPROPRIATIONS;** 2 **AUTHORIZED LEVELS**

3 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) Funds are authorized to be appropriated for nec-
 5 essary expenses of the Coast Guard for fiscal year 1998,
 6 as follows:

7 (1) For the operation and maintenance of the
 8 Coast Guard, \$2,740,000,000, of which \$25,000,000
 9 shall be derived from the Oil Spill Liability Trust
 10 Fund.

1 (2) For the acquisition, construction, rebuild-
2 ing, and improvement of aids to navigation, shore
3 and offshore facilities, vessels, and aircraft, includ-
4 ing equipment related thereto, \$379,000,000, to re-
5 main available until expended, of which \$20,000,000
6 shall be derived from the Oil Spill Liability Trust
7 Fund to carry out the purposes of section
8 1012(a)(5) of the Oil Pollution Act of 1990.

9 (3) For research, development, test, and evalua-
10 tion of technologies, materials, and human factors
11 directly relating to improving the performance of the
12 Coast Guard's mission in support of search and res-
13 cue, aids to navigation, marine safety, marine envi-
14 ronmental protection, enforcement of laws and trea-
15 ties, ice operations, oceanographic research, and de-
16 fense readiness, \$19,000,000, to remain available
17 until expended, of which \$3,500,000 shall be derived
18 from the Oil Spill Liability Trust Fund.

19 (4) For retired pay (including the payment of
20 obligations otherwise chargeable to lapsed appropria-
21 tions for this purpose), payments under the Retired
22 Serviceman's Family Protection and Survivor Bene-
23 fit Plans, and payments for medical care of retired
24 personnel and their dependents under chapter 55 of
25 title 10, United States Code, \$645,696,000.

1 (5) For alteration or removal of bridges over
2 navigable waters of the United States constituting
3 obstructions to navigation, and for personnel and
4 administrative costs associated with the bridge alter-
5 ation program, \$26,000,000 to remain available
6 until expended.

7 (6) For environmental compliance and restora-
8 tion at Coast Guard facilities functions (other than
9 parts and equipment associated with operations and
10 maintenance), \$21,000,000, to remain available until
11 expended.

12 (b) Funds are authorized to be appropriated for nec-
13 essary expenses of the Coast Guard for fiscal year 1999,
14 as follows:

15 (1) For the operation and maintenance of the
16 Coast Guard, \$2,740,000,000, of which \$25,000,000
17 shall be derived from the Oil Spill Liability Trust
18 Fund.

19 (2) For the acquisition, construction, rebuild-
20 ing, and improvement of aids to navigation, shore
21 and offshore facilities, vessels, and aircraft, includ-
22 ing equipment related thereto, \$379,000,000, to re-
23 main available until expended, of which \$20,000,000
24 shall be derived from the Oil Spill Liability Trust

1 Fund to carry out the purposes of section
2 1012(a)(5) of the Oil Pollution Act of 1990.

3 (3) For research, development, test, and evalua-
4 tion of technologies, materials, and human factors
5 directly relating to improving the performance of the
6 Coast Guard's mission in support of search and res-
7 cue, aids to navigation, marine safety, marine envi-
8 ronmental protection, enforcement of laws and trea-
9 ties, ice operations, oceanographic research, and de-
10 fense readiness, \$19,000,000, to remain available
11 until expended, of which \$3,500,000 shall be derived
12 from the Oil Spill Liability Trust Fund.

13 (4) For retired pay (including the payment of
14 obligations otherwise chargeable to lapsed appropria-
15 tions for this purpose), payments under the Retired
16 Serviceman's Family Protection and Survivor Bene-
17 fit Plans, and payments for medical care of retired
18 personnel and their dependents under chapter 55 of
19 title 10, United States Code, \$675,568,000.

20 (5) For alteration or removal of bridges over
21 navigable waters of the United States constituting
22 obstructions to navigation, and for personnel and
23 administrative costs associated with the bridge alter-
24 ation program, \$26,000,000 to remain available
25 until expended.

1 (2) For flight training, such student years as
2 may be necessary.

3 (3) For professional training in military and ci-
4 vilian institutions, such student years as may be nec-
5 essary.

6 (4) For officer acquisition, such student years
7 as may be necessary.

8 **TITLE II—COAST GUARD** 9 **MANAGEMENT**

10 **SEC. 201. SEVERANCE PAY.**

11 (a) WARRANT OFFICERS.—Section 286a(d) of title
12 14, United States Code, is amended by striking the last
13 sentence.

14 (b) SEPARATED OFFICERS.—Section 286a of title 14,
15 United States Code, is amended by striking the period at
16 the end of subsection (b) and inserting “, unless the officer
17 is separated with an other than Honorable Discharge and
18 the Secretary of the Service in which the Coast Guard is
19 operating determines that the conditions under which the
20 officer is discharged or separated do not warrant payment
21 of severance pay.”.

22 (c) EXCEPTION.—Section 327 of title 14, United
23 States Code, is amended by striking the period at the end
24 of paragraph (b)(3) and inserting “, unless the Secretary
25 determines that the conditions under which the officer is

1 discharged or separated do not warrant payment of sever-
 2 ance pay.”.

3 **SEC. 202. USE OF APPROPRIATED FUNDS FOR COMMER-**
 4 **CIAL VEHICLES AT MILITARY FUNERALS.**

5 Section 93 of title 14, United States Code, as amend-
 6 ed by section 203 of this Act, is further amended—

7 (1) by striking “and” after the semicolon at the
 8 end of paragraph (v);

9 (2) by striking the period at the end of para-
 10 graph (w) and inserting “; and”; and

11 (3) by adding at the end the following new
 12 paragraph:

13 “(x) rent or lease, under such terms
 14 and conditions as are deemed advisable,
 15 commercial vehicles to transport the next
 16 of kin of eligible retired Coast Guard mili-
 17 tary personnel to attend funeral services of
 18 the service member at a national ceme-
 19 tery.”.

20 **SEC. 203. AUTHORITY TO REIMBURSE NOVATO, CALIFOR-**
 21 **NIA, REUSE COMMISSION.**

22 The Commandant may use up to \$25,000 to provide
 23 economic adjustment assistance for the City of Novato,
 24 California, for the cost of revising the Hamilton Reuse
 25 Planning Authority’s reuse plan as a result of the Coast

1 Guard's request for housing at Hamilton Air Force Base.
2 If the Department of Defense provides such economic ad-
3 justment assistance to the City of Novato on behalf of the
4 Coast Guard, then the Coast Guard may use the amount
5 authorized for use in the preceding sentence to reimburse
6 the Department of Defense for the amount of economic
7 adjustment assistance provided to the City of Novato by
8 the Department of Defense.

9 **SEC. 204. ELIMINATE SUPPLY FUND REIMBURSEMENT RE-**
10 **QUIREMENT.**

11 Subsection 650(a) of title 14, United States Code, is
12 amended by striking "The fund shall be credited with the
13 value of materials consumed, issued for use, sold, or other-
14 wise disposed of, such values to be determined on a basis
15 that will approximately cover the cost thereof." and insert-
16 ing "In these regulations, whenever the fund is reduced
17 to delete items stocked, the Secretary may reduce the ex-
18 isting capital of the fund by the value of the materials
19 transferred to other Coast Guard accounts. Except for the
20 materials so transferred, the fund shall be credited with
21 the value of materials consumed, issued for use, sold, or
22 otherwise disposed of, such values to be determined on a
23 basis that will approximately cover the cost thereof."

1 **SEC. 205. AUTHORITY TO IMPLEMENT AND FUND CERTAIN**
2 **AWARDS PROGRAMS.**

3 (a) Section 93 of title 14, United States Code, is
4 amended—

5 (1) by striking “and” after the semicolon at the
6 end of paragraph (w);

7 (2) by striking the period at the end of para-
8 graph (x) and inserting “; and”; and

9 (3) by adding at the end the following new
10 paragraph:

11 “(y) provide for the honorary recognition of in-
12 dividuals and organizations that significantly con-
13 tribute to Coast Guard programs, missions, or oper-
14 ations, including but not limited to state and local
15 governments and commercial and nonprofit organi-
16 zations, and pay for, using any appropriations or
17 funds available to the Coast Guard, plaques, medals,
18 trophies, badges, and similar items to acknowledge
19 such contribution (including reasonable expenses of
20 ceremony and presentation).”.

21 **SEC. 206. DISPOSAL OF CERTAIN MATERIAL TO COAST**
22 **GUARD AUXILIARY.**

23 (a) Section 641 of title 14, United States Code, is
24 amended—

1 (1) by striking “to the Coast Guard Auxiliary,
2 including any incorporated unit thereof,” in sub-
3 section (a) ; and

4 (2) by adding at the end thereof the following:

5 “(f)(1) Notwithstanding any other law, the Com-
6 mandant may directly transfer ownership of personal
7 property of the Coast Guard to the Coast Guard Auxiliary
8 (including any incorporated unit thereof), with or without
9 charge, if the Commandant determines—

10 “(A) after consultation with the Administrator
11 of General Services, that the personal property is ex-
12 cess to the needs of the Coast Guard but is suitable
13 for use by the Auxiliary in performing Coast Guard
14 functions, powers, duties, roles, missions, or oper-
15 ations as authorized by law pursuant to section 822
16 of this title; and

17 “(B) that such excess property will be used
18 solely by the Auxiliary for such purposes.

19 “(2) Upon transfer of personal property under para-
20 graph (1), no appropriated funds shall be available for the
21 operation, maintenance, repair, alteration, or replacement
22 of such property, except as permitted by section 830 of
23 this title.”.

1 **TITLE III—MARINE SAFETY AND**
2 **ENVIRONMENTAL PROTECTION**

3 **SEC. 301. ALCOHOL TESTING.**

4 (a) ADMINISTRATIVE PROCEDURE.—Section 7702 of
5 title 46, United States Code, is amended—

6 (1) by striking “(1)” in subsection (c);

7 (2) by redesignating paragraph (2) of sub-
8 section (c) as subsection (d)(1) and by redesignating
9 subsection (d) is subsection (e);

10 (3) by striking “may” in the second sentence of
11 subsection (d)(1) as redesignated, and inserting
12 “shall”; and

13 (4) by adding at the end of subsection (d), as
14 redesignated, the following:

15 “(2) The Secretary shall establish procedures to
16 ensure that after a serious marine incident occurs,
17 alcohol testing of crew members responsible for the
18 operation or other safety-sensitive functions of the
19 vessel or vessels involved in such incident is con-
20 ducted no later than two hours after the incident is
21 stabilized.”.

22 (b) INCREASE IN CIVIL PENALTY.—Section 2115 of
23 title 46, United States Code, is amended by striking
24 “\$1,000” and inserting “\$5,000”.

1 (c) INCREASE IN NEGLIGENCE PENALTY.—Section
2 2302(c)(1) of title 46, United States Code, is amended
3 by striking “\$1,000” and inserting “\$5,000”.

4 **SEC. 302. PENALTY FOR VIOLATION OF INTERNATIONAL**
5 **SAFETY CONVENTION.**

6 (a) IN GENERAL.—Section 2302 of title 46, United
7 States Code, is amended by adding at the following new
8 subsection:

9 “(e)(1) A vessel may not be used to transport cargoes
10 sponsored by the United States Government if the vessel
11 has been detained by the Secretary for violation of an
12 international safety convention to which the United States
13 is a party, and the Secretary has published notice of that
14 detention.

15 “(2) The prohibition in paragraph (1) expires for a
16 vessel 1 year after the date of the detention on which the
17 prohibition is based or upon the Secretary granting an ap-
18 peal of the detention on which the prohibition is based.

19 “(3) The head of a Federal Agency may grant an
20 exemption from the prohibition in paragraph (1) on a case
21 by case basis if the owner of the vessel to be used for
22 transport of the cargo sponsored by the United States
23 Government can provide compelling evidence that the ves-
24 sel is currently in compliance with applicable international
25 safety conventions to which the United States is a party.

1 “(5) ‘Navigable waters of the United States’ in-
2 cludes all waters of the territorial sea of the United
3 States as described in Presidential Proclamation
4 5928 of December 27, 1988.”.

5 (b) SUBTITLE II OF TITLE 46.—

6 (1) Section 2101 of title 46, United States
7 Code, is amended—

8 (A) by redesignating paragraph (17a) as
9 paragraph (17b); and

10 (B) by inserting after paragraph (17) the
11 following:

12 “(17a) ‘navigable waters of the United States’
13 includes all waters of the territorial sea of the Unit-
14 ed States as described in Presidential Proclamation
15 5928 of December 27, 1988.”.

16 (2) Section 2301 of that title is amended by in-
17 serting “(including the territorial sea of the United
18 States as described in Presidential Proclamation
19 5928 of December 27, 1988,)” after “of the United
20 States”.

21 (3) Section 4102(e) of that title is amended by
22 striking “on the high seas” and inserting “beyond 3
23 nautical miles from the baselines from which the ter-
24 ritorial sea of the United States is measured”.

1 (4) Section 4301(a) of that title is amended by
2 inserting “(including the territorial sea of the United
3 States as described in Presidential Proclamation
4 5928 of December 27, 1988)” after “of the United
5 States”.

6 (5) Section 4502(a)(7) of that title is amended
7 by striking “on vessels that operate on the high
8 seas” and inserting “beyond 3 nautical miles from
9 the baselines from which the territorial sea of the
10 United States is measured”.

11 (6) Section 4506(b) of that title is amended by
12 striking paragraph (2) and inserting the following:

13 “(2) is operating—

14 “(A) in internal waters of the United
15 States; or

16 “(B) within 3 nautical miles from the
17 baselines from which the territorial sea of the
18 United States is measured.”.

19 (7) Section 8502(a)(3) of that title is
20 amended by striking “not on the high seas” and
21 inserting: “not beyond 3 nautical miles from the
22 baselines from which the territorial sea of the
23 United States is measured”.

1 (8) Section 8503(a)(2) of that title is amended
2 by striking paragraph (2) and inserting the follow-
3 ing:

4 “(2) is operating—

5 “(A) in internal waters of the United
6 States; or

7 “(B) within 3 nautical miles from the
8 baselines from which the territorial sea of the
9 United States is measured.”.

10 **SEC. 306. LAW ENFORCEMENT AUTHORITY FOR SPECIAL**
11 **AGENTS OF THE COAST GUARD INVESTIGA-**
12 **TIVE SERVICE.**

13 (a) **AUTHORITY.**—Section 95 of title 14, United
14 States Code, is amended to read as follows:

15 **“§ 95. Special agents of the Coast Guard Investigative**
16 **Service law enforcement authority**

17 “(a)(1) A special agent of the Coast Guard Investiga-
18 tive Service designated under subsection (b) has the fol-
19 lowing authority:

20 “(A) To carry firearms.

21 “(B) To execute and serve any warrant or other
22 process issued under the authority of the United
23 States.

24 “(C) To make arrests without warrant for—

1 “(i) any offense against the United States
2 committed in the agent’s presence; or

3 “(ii) any felony cognizable under the laws
4 of the United States if the agent has probable
5 cause to believe that the person to be arrested
6 has committed or is committing the felony.

7 “(2) The authorities provided in paragraph (1) shall
8 be exercised only in the enforcement of statutes for which
9 the Coast Guard has law enforcement authority, or in exi-
10 gent circumstances.

11 “(b) The Commandant may designate to have the au-
12 thority provided under subsection (a) any special agent of
13 the Coast Guard Investigative Service whose duties in-
14 clude conducting, supervising, or coordinating investiga-
15 tion of criminal activity in programs and operations of the
16 United States Coast Guard.

17 “(c) The authority provided under subsection (a)
18 shall be exercised in accordance with guidelines prescribed
19 by the Commandant and approved by the Attorney Gen-
20 eral and any other applicable guidelines prescribed by the
21 Secretary of Transportation or the Attorney General.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 5 of title 14, United States
24 Code, is amended by striking the item related to section
25 95 and inserting the following:

“95. Special agents of the Coast Guard Investigative Service; law enforcement authority.”.

1 **TITLE IV—MISCELLANEOUS**

2 **SEC. 401. VESSEL IDENTIFICATION SYSTEM AMENDMENTS.**

3 Title 46, United States Code, is amended—

4 (1) by striking “or is not titled in a State” in
5 section 12102(a);

6 (2) by adding at the end of section 12301 the
7 following:

8 “(c) A documented vessel shall not be titled by a
9 State or required to display numbers under this chapter,
10 and any certificate of title issued by a State for a docu-
11 mented vessel than be surrendered in accordance with reg-
12 ulations prescribed by the Secretary.

13 “(d) The Secretary may approve the surrender under
14 subsection (a) of a certificate of title covered by a pre-
15 ferred mortgage under section 31322(d) of this title only
16 if the mortgagee consents.”;

17 (3) by striking section 31322(b) and inserting
18 the following:

19 “(b) Any indebtedness secured by a preferred mort-
20 gage that is filed or recorded under this chapter, or that
21 is subject to a mortgage, security agreement, or instru-
22 ments granting a security interest that is deemed to be
23 a preferred mortgage under subsection (d) of this section,
24 may have any rate of interest to which the parties agree.”;

1 (4) by striking “mortgage or instrument” each
2 place it appears in section 31322(d)(1) and inserting
3 “mortgage, security agreement, or instrument”;

4 (5) by striking section 31322(d)(1)(3) and in-
5 serting the following:

6 “(3) A preferred mortgage under this sub-
7 section continues to be a preferred mortgage even if
8 the vessel is no longer titled in the State where the
9 mortgage, security agreement, or instrument grant-
10 ing a security interest became a preferred mortgage
11 under this subsection.”;

12 (6) by striking “mortgages or instruments” in
13 subsection 31322(d)(2) and inserting “mortgages,
14 security agreements, or instruments”;

15 (7) by inserting “a vessel titled in a State,” in
16 section 31325(b)(1) after “a vessel to be docu-
17 mented under chapter 121 of this title,”;

18 (8) by inserting “a vessel titled in a State,” in
19 section 31325(b)(8) after “a vessel for which an ap-
20 plication for documentation is filed under chapter
21 121 of this title,”; and

22 (9) by inserting “a vessel titled in a State,” in
23 section 31325(c) after “a vessel to be documented
24 under chapter 121 of this title,”.

1 **SEC. 402. CONVEYANCE OF COMMUNICATION STATION BOS-**
2 **TON MARSHFIELD RECEIVER SITE, MASSA-**
3 **CHUSETTS.**

4 (a) **AUTHORITY TO CONVEY.**—

5 (1) **IN GENERAL.**—The Secretary of Transpor-
6 tation may convey, by an appropriate means of con-
7 veyance, all right, title, and interest of the United
8 States in and to the Coast Guard Communication
9 Station Boston Marshfield Receiver Site, Massachu-
10 setts, to the Town of Marshfield, Massachusetts.

11 (2) **LIMITATION.**—The Secretary shall not con-
12 vey under this section the land on which is situated
13 the communications tower and the microwave build-
14 ing facility of that station.

15 (3) **IDENTIFICATION OF PROPERTY.**—

16 (A) The Secretary may identify, describe
17 and determine the property to be conveyed to
18 the Town under this section.

19 (B) The Secretary shall determine the
20 exact acreage and legal description of the prop-
21 erty to be conveyed under this section by a sur-
22 vey satisfactory to the Secretary. The cost of
23 the survey shall be borne by the Town.

24 (b) **TERMS AND CONDITIONS.**—Any conveyance of
25 property under this section shall be made—

26 (1) without payment of consideration; and

1 (2) subject to the following terms and condi-
2 tions:

3 (A) The Secretary may reserve utility, ac-
4 cess, and any other appropriate easements on
5 the property conveyed for the purpose of oper-
6 ating, maintaining, and protecting the commu-
7 nications tower and the microwave building fa-
8 cility.

9 (B) The Town and its successors and as-
10 signs shall, at their own cost and expense,
11 maintain the property conveyed under this sec-
12 tion in a proper, substantial, and workmanlike
13 manner as necessary to ensure the operation,
14 maintenance, and protection of the communica-
15 tions tower and the microwave building facility.

16 (C) Any other terms and conditions the
17 Secretary considers appropriate to protect the
18 interests of the United States.

19 (c) EFFECTIVE DATE.—The amendment made by
20 subsection (a) takes effect January 1, 1998.

21 **SEC. 403. CONVEYANCE OF NAHANT PARCEL, ESSEX COUN-**
22 **TY, MASSACHUSETTS.**

23 (a) IN GENERAL.—The Commandant, United States
24 Coast Guard, may convey, by an appropriate means of
25 conveyance, all right, title, and interest of the United

1 States in and to the United States Coast Guard Recre-
 2 ation Facility Nahant, Massachusetts, to the Town of
 3 Nahant.

4 (b) IDENTIFICATION OF PROPERTY.—The Com-
 5 mandant may identify, describe, and determine the prop-
 6 erty to be conveyed under this section.

7 (c) TERMS OF CONVEYANCE.—The conveyance of
 8 property under this section shall be made—

9 (1) without payment of consideration; and

10 (2) subject to such terms and conditions as the
 11 Commandant may consider appropriate.

12 **SEC. 404. CONVEYANCE OF EAGLE HARBOR LIGHT STA-**
 13 **TION.**

14 (a) AUTHORITY TO CONVEY.—

15 (1) IN GENERAL.—The Administrator of the
 16 General Services Administration shall convey, by an
 17 appropriate means of conveyance, all right, title, and
 18 interest of the United States in and to the Eagle
 19 Harbor Light Station, Michigan, to the Keweenaw
 20 County Historical Society.

21 (2) IDENTIFICATION OF PROPERTY.—The Sec-
 22 retary may identify, describe, and determine the
 23 property to be conveyed pursuant to this subsection.

24 (b) TERMS OF CONVEYANCE.—

1 (1) IN GENERAL.—The conveyance of property
2 pursuant to this section shall be made—

3 (A) without payment of consideration; and

4 (B) subject to the conditions required by
5 paragraphs (3), (4), and (5) and other terms
6 and conditions the Secretary may consider ap-
7 propriate.

8 (2) REVERSIONARY INTEREST.—In addition to
9 any term or condition established pursuant to para-
10 graph (1), the conveyance of property pursuant to
11 this section shall be subject to the condition that all
12 right, title, and interest in the property conveyed
13 shall immediately revert to the United States if the
14 property, or any part of the property—

15 (A) ceases to be maintained in a manner
16 that ensures its present or future use as a
17 Coast Guard aid to navigation; or

18 (B) ceases to be maintained in a manner
19 consistent with the provisions of the National
20 Historic Preservation Act of 1966 (16 U.S.C.
21 470 et seq.).

22 (3) MAINTENANCE OF NAVIGATION FUNC-
23 TIONS.—The conveyance of property pursuant to
24 this section shall be made subject to the conditions

1 that the Secretary considers to be necessary to as-
2 sure that—

3 (A) the lights, antennas, and associated
4 equipment located on the property conveyed,
5 which are active aids to navigation, shall con-
6 tinue to be operated and maintained by the
7 United States;

8 (B) the person to which the property is
9 conveyed may not interfere or allow interference
10 in any manner with aids to navigation without
11 express written permission from the Secretary;

12 (C) there is reserved to the United States
13 the right to relocate, replace, or add any aid to
14 navigation or make any changes to the property
15 conveyed as may be necessary for navigational
16 purposes;

17 (D) the United States shall have the right,
18 at any time, to enter the property without no-
19 tice for the purpose of maintaining aids to navi-
20 gation; and

21 (E) the United States shall have an ease-
22 ment of access to the property for the purpose
23 of maintaining the aids to navigation in use on
24 the property.

1 (4) OBLIGATION LIMITATION.—The person to
2 which the property is conveyed is not required to
3 maintain any active aid to navigation equipment on
4 property conveyed pursuant to this section.

5 (5) REVERSION BASED ON USE.—The convey-
6 ance of the property described in subsection (a) is
7 subject to the condition that all right, title, and in-
8 terest in the property conveyed shall immediately re-
9 vert to the United States if the property, or any part
10 of the property ceases to be used as a nonprofit cen-
11 ter for public benefit for the interpretation and pres-
12 ervation of maritime history.

13 (6) MAINTENANCE OF PROPERTY.—The person
14 to which the property is conveyed shall maintain the
15 property in accordance with the National Historic
16 Preservation Act of 1966 (16 U.S.C. 470 et seq.),
17 and other applicable laws.

18 **SEC. 405. CONVEYANCE OF COAST GUARD STATION**

19 **OCRACOKE, NORTH CAROLINA.**

20 (a) AUTHORITY TO CONVEY.—

21 (1) IN GENERAL.—The Commandant, United
22 States Coast Guard, or his designee (the “Com-
23 mandant”) may convey, by an appropriate means of
24 conveyance, all right, title, and interest of the Unit-
25 ed States of America (the “United States”) in and,

1 to the Coast Guard station Ocracoke, North Caro-
2 lina, to the ferry division of the North Carolina De-
3 partment of Transportation.

4 (2) IDENTIFICATION OF PROPERTY.—The Com-
5 mandant may identify, describe, and determine the
6 property to be conveyed under this section.

7 (b) TERMS AND CONDITIONS.—The conveyance of
8 any property under this section shall be made—

9 (1) without payment of consideration; and

10 (2) subject to the following terms and condi-
11 tions:

12 (A) EASEMENTS.—The Commandant may
13 reserve utility, access, and any other appro-
14 priate easements upon the property to be con-
15 veyed for the purpose of—

16 (i) use of the access road to the boat
17 launching ramp;

18 (ii) use of the boat launching ramp;

19 and

20 (iii) use of pier space for necessary
21 search and rescue assets (including water
22 and electrical power).

23 (B) MAINTENANCE.—The ferry division of
24 North Carolina Department of Transportation,
25 and its successors and assigns shall, at its own

1 cost and expense, maintain the property con-
 2 veyed under this section in a proper, substantial
 3 and workmanlike manner necessary for the use
 4 of any easements created under subparagraph
 5 (A).

6 (C) REVERSIONARY INTEREST.—All right,
 7 title, and interest in and to administered by the
 8 general services administration if the property,
 9 or any part thereof, ceases to be used by the
 10 Ferry Division of North Carolina Department
 11 of Transportation.

12 (D) OTHER.—Any other terms and condi-
 13 tions the Commandant may consider appro-
 14 priate to protect the interests of the United
 15 States.

16 **SEC. 406. CONVEYANCE OF COAST GUARD PROPERTY TO**
 17 **JACKSONVILLE UNIVERSITY, FLORIDA.**

18 (a) AUTHORITY TO CONVEY.—

19 (1) IN GENERAL.—The Secretary of Transpor-
 20 tation may convey to the University of Jacksonville,
 21 Florida, without consideration, all right, title, and
 22 interest of the United States in and to the property
 23 comprising the Long Branch Rear Range Light,
 24 Jacksonville, Florida.

1 (2) IDENTIFICATION OF PROPERTY.—The Sec-
 2 retary may identify describe, and determine the
 3 property to be conveyed under this section.

4 (b) TERMS AND CONDITIONS.—Any conveyance of
 5 any property under this section shall be made—

6 (1) subject to the terms and conditions the
 7 Commandant may consider appropriate; and

8 (2) subject to the condition that all right, title,
 9 and interest in and to property conveyed shall imme-
 10 diately revert to the United States if the property,
 11 or any part thereof, cases to be used by Jacksonville
 12 University, Florida.

13 **SEC. 407. COAST GUARD CITY, USA.**

14 The community of Grand Haven, Michigan, shall be
 15 recognized as “Coast Guard City, USA”.

16 **SEC. 408. VESSEL DOCUMENTATION CLARIFICATION.**

17 Section 12102(a)(4) of title 46, United States Code,
 18 and section 2(a) of the Shipping Act, 1916 (46 U.S.C.
 19 App. 802(a)) are each amended by—

20 (1) striking “president or other”; and

21 (2) inserting a comma and “by whatever title,”
 22 after “chief executive officer”.

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