

Union Calendar No. 81

103D CONGRESS
1ST SESSION

H. R. 2150

[Report No. 103-146]

A BILL

To authorize appropriations for fiscal year 1994 for the United States Coast Guard, and for other purposes.

JUNE 21, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1993

Mr. TAUZIN (for himself, Mr. STUDDS, Mr. COBLE, and Mr. FIELDS of Texas) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

JUNE 21, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 19, 1993]

A BILL

To authorize appropriations for fiscal year 1994 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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Coast Guard Authoriza-*
3 *tion Act of 1993”.*

4 **TITLE I—AUTHORIZATION**

5 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

6 *Funds are authorized to be appropriated for necessary*
7 *expenses of the Coast Guard for fiscal year 1994, as follows:*

8 (1) *For the operation and maintenance of the*
9 *Coast Guard, \$2,612,552,200, of which \$25,000,000*
10 *shall be derived from the Oil Spill Liability Trust*
11 *Fund, and of which \$35,000,000 shall be expended*
12 *from the Boat Safety Account.*

13 (2) *For the acquisition, construction, rebuilding,*
14 *and improvement of aids to navigation, shore and off-*
15 *shore facilities, vessels, and aircraft, including equip-*
16 *ment related thereto, \$417,996,500, to remain avail-*
17 *able until expended, of which \$23,030,000 shall be de-*
18 *derived from the Oil Spill Liability Trust Fund.*

19 (3) *For research, development, test, and evalua-*
20 *tion, in support of search and rescue, aids to naviga-*
21 *tion, marine safety, marine environmental protection,*
22 *enforcement of laws and treaties, ice operations, and*
23 *defense readiness, \$25,000,000, to remain available*
24 *until expended, of which \$4,457,000 shall be derived*
25 *from the Oil Spill Liability Trust Fund.*

1 (4) For retired pay (including the payment of
2 obligations otherwise chargeable to lapsed appropria-
3 tions for this purpose), payments under the Retired
4 Serviceman's Family Protection and Survivor Benefit
5 Plans, and payments for medical care of retired per-
6 sonnel and their dependents under chapter 55 of title
7 10, United States Code, \$548,774,000.

8 (5) For alteration or removal of bridges over
9 navigable waters of the United States constituting ob-
10 structions to navigation associated with the Bridge
11 Alteration Program, \$12,940,000 to remain available
12 until expended.

13 (6) For environmental compliance and restora-
14 tion at Coast Guard facilities, \$23,057,000, to remain
15 available until expended.

16 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
17 **AND TRAINING.**

18 (a) As of September 30, 1994, the Coast Guard is au-
19 thorized an end-of-year strength for active duty personnel
20 of 39,138. The authorized strength does not include members
21 of the Ready Reserve called to active duty for special or
22 emergency augmentation of regular Coast Guard forces for
23 periods of 180 days or less.

24 (b) For fiscal year 1994, the Coast Guard is authorized
25 average military training student loads as follows:

1 (1) For recruit and special training, 1,986 stu-
2 dent years.

3 (2) For flight training, 114 student years.

4 (3) For professional training in military and ci-
5 vilian institutions, 338 student years.

6 (4) For officer acquisition, 955 student years.

7 **TITLE II—PERSONNEL**
8 **MANAGEMENT IMPROVEMENT**

9 **SEC. 201. CEILING ON OFFICER CORPS.**

10 Subsection (a) of section 42 of title 14, United States
11 Code, is amended by striking “6,000” and inserting
12 “6,200”.

13 **SEC. 202. VOLUNTEER SERVICES.**

14 Section 93 of title 14, United States Code, is amended
15 by—

16 (1) striking “and” at the end of paragraph (r);

17 (2) striking the period at the end of paragraph
18 (s) and inserting “; and”; and

19 (3) adding at the end the following new sub-
20 section:

21 “(t) Notwithstanding any other law, enter into cooper-
22 ative agreements with States, local governments, nongovern-
23 mental organizations, and individuals, to accept and utilize
24 voluntary services for the maintenance and improvement
25 of natural and historic resources on, or to benefit natural

1 *and historic research on, Coast Guard facilities, which co-*
2 *operative agreements shall each provide for the parties to*
3 *contribute funds or services on a matching basis to defray*
4 *the costs of such programs, projects, and activities under*
5 *the agreement.”.*

6 **SEC. 203. RESERVE RETENTION BOARDS.**

7 *Section 741 of title 14, United States Code, is amend-*
8 *ed—*

9 *(1) in subsection (a) in the first sentence by*
10 *striking “and are not on active duty and not on an*
11 *approved list of selectees for promotion to the next*
12 *higher grade” and inserting the following: “; except*
13 *those officers who—*

14 *“(1) are on extended active duty;*

15 *“(2) are on a list of selectees for promotion;*

16 *“(3) will complete 30 years total commissioned*
17 *service by June 30th following the date that the reten-*
18 *tion board is convened; or*

19 *“(4) have reached age 59 by the date on which*
20 *the retention board is convened”;*

21 *(2) in subsection (a) by moving the second sen-*
22 *tence so as to begin—*

23 *(A) immediately below paragraph (4) (as*
24 *added by paragraph (1) of this section); and*

1 (B) flush with the left margin of the mate-
2 rial preceding paragraph (1);

3 (3) by designating the third sentence of sub-
4 section (a) as subsection (b) by—

5 (A) inserting “(b)” before “This board
6 shall—”; and

7 (B) moving the third sentence so as to begin
8 immediately below the second sentence of sub-
9 section (a); and

10 (4) by redesignating the last 2 subsections as
11 subsections (c) and (d), respectively.

12 **SEC. 204. BOARD FOR CORRECTION OF MILITARY RECORDS**

13 **DEADLINE.**

14 (a) Ten months after a complete application for correc-
15 tion of military records is received by the Board for Correc-
16 tion of Military Records of the Coast Guard, administrative
17 remedies are deemed to have been exhausted, and—

18 (1) if the Board has rendered a recommended de-
19 cision, its recommendation shall be final agency ac-
20 tion and not subject to further review or approval
21 within the Department of Transportation; or

22 (2) if the Board has not rendered a recommended
23 decision, agency action is deemed to have been unrea-
24 sonably delayed or withheld and the applicant is enti-
25 tled to—

1 (i) striking “(a)” at the beginning thereof,
2 and

3 (ii) striking the last sentence and inserting
4 the following: “The appointment and grade of a
5 Vice Commandant shall be effective on the date
6 the officer assumes that duty, and shall termi-
7 nate on the date the officer is detached from that
8 duty, except as provided in subsection 51(d) of
9 this title.”; and

10 (C) by striking subsections (b), (c), and (d).

11 (2) The table of sections at the beginning of chapter
12 3 of title 14, United States Code, is amended by striking
13 the item relating to section 47 and inserting the following:
 “47. Vice Commandant; assignment.”.

14 (c) Section 50(b) of title 14, United States Code, is
15 amended by striking the last sentence and inserting “The
16 appointment and grade of an area commander shall be ef-
17 fective on the date the officer assumes that duty, and shall
18 terminate on the date the officer is detached from that duty,
19 except as provided in subsection 51(d) of this title.”.

20 (d) Section 51 of title 14, United States Code, is
21 amended by adding at the end the following new subsection:

22 “(d) An officer serving in the grade of admiral or vice
23 admiral shall continue to hold that grade—

24 “(1) while being processed for physical disability
25 retirement, beginning on the day of the processing

1 *and ending on the day that officer is retired, but not*
2 *for more than 180 days; and*

3 *“(2) while awaiting retirement, beginning on the*
4 *day that officer is relieved from the position of Com-*
5 *mandant, Vice Commandant, Area Commander, or*
6 *Chief of Staff and ending on the day before the offi-*
7 *cer’s retirement, but not for more than 60 days.”.*

8 **SEC. 206. CHIEF OF STAFF.**

9 *(a) Section 41a(b) of title 14, United States Code, is*
10 *amended by striking “, except that the rear admiral serving*
11 *as Chief of Staff shall be the senior rear admiral for all*
12 *purposes other than pay” at the end of the second sentence.*

13 *(b)(1) Title 14, United States Code, is amended by in-*
14 *serting after section 50 the following new section:*

15 **“§ 50a. Chief of Staff**

16 *“(a) The President may appoint, by and with the ad-*
17 *vice and consent of the Senate, a Chief of Staff of the Coast*
18 *Guard who shall rank next after the area commanders and*
19 *who shall perform duties as prescribed by the Commandant.*
20 *The Chief of Staff shall be appointed from the officers on*
21 *the active duty promotion list serving above the grade of*
22 *captain. The Commandant shall make recommendations for*
23 *the appointment.*

24 *“(b) The Chief of Staff shall have the grade of vice ad-*
25 *miral with the pay and allowances of that grade. The ap-*

1 *pointment and grade of the Chief of Staff shall be effective*
2 *on the date the officer assumes that duty, and shall termi-*
3 *nate on the date the officer is detached from that duty, ex-*
4 *cept as provided in section 51(d) of this title.”.*

5 *(2) The table of sections at the beginning of chapter*
6 *3 of title 14, United States Code, is amended by inserting*
7 *after the item relating to section 50 the following:*

“50a. Chief of Staff.”.

8 *(c) Section 51 of title 14, United States Code, is*
9 *amended—*

10 *(1) in subsection (a) by striking “as Com-*
11 *mander, Atlantic Area, or Commander, Pacific Area”*
12 *and inserting “in the grade of vice admiral”; and*

13 *(2) in subsection (b) by striking “as Commander,*
14 *Atlantic Area, or Commander, Pacific Area” and in-*
15 *serting “in the grade of vice admiral”.*

16 *(d) Section 290 of title 14, United States Code, is*
17 *amended—*

18 *(1) in subsection (a) by striking “or in the posi-*
19 *tion of Chief of Staff” in the second sentence;*

20 *(2) in subsection (f)(1) by striking “Chief of*
21 *Staff or”; and*

22 *(3) in subsection (f)(2) by striking “Chief of*
23 *Staff or”.*

1 **TITLE III—MISCELLANEOUS**
2 **SECTIONS**

3 **SEC. 301. NORTH ATLANTIC ROUTES.**

4 *Sections 3 and 5 of the Act of June 25, 1936 (49 Stat.*
5 *1922, 46 App. U.S.C. 738b and 738d), are repealed.*

6 **SEC. 302. COAST GUARD FAMILY HOUSING.**

7 *(a) IN GENERAL.—Chapter 17 of title 14, United*
8 *States Code, is amended by adding at the end the following*
9 *new section:*

10 **“§ 670. Procurement authority for family housing**

11 *“(a) The Secretary is authorized—*

12 *“(1) to acquire, subject to the availability of ap-*
13 *propriations sufficient to cover its full obligations,*
14 *real property or interests therein by purchase, lease*
15 *for a term not to exceed 5 years, or otherwise, for use*
16 *as Coast Guard family housing units, including the*
17 *acquisition of condominium units, which may include*
18 *the obligation to pay maintenance, repair, and other*
19 *condominium-related fees; and*

20 *“(2) to dispose of by sale, lease, or otherwise, any*
21 *real property or interest therein used for Coast Guard*
22 *family housing units for adequate consideration.*

23 *“(b)(1) For the purposes of this section, a multiyear*
24 *contract is a contract to lease Coast Guard family housing*
25 *units for at least one, but not more than 5, fiscal years.*

1 “(2) The Secretary may enter into multiyear contracts
2 under subsection (a) of this section whenever the Coast
3 Guard finds that—

4 “(A) the use of a contract will promote the effi-
5 ciency of the Coast Guard family housing program
6 and will result in reduced total costs under the con-
7 tract; and

8 “(B) there are realistic estimates of both the cost
9 of the contract and the anticipated cost avoidance
10 through the use of a multiyear contract.

11 “(3) A multiyear contract authorized under subsection
12 (a) of this section shall contain cancellation and termi-
13 nation provisions to the extent necessary to protect the best
14 interests of the United States, and may include consider-
15 ation of both recurring and nonrecurring costs. The contract
16 may provide for a cancellation payment to be made.
17 Amounts that were originally obligated for the cost of the
18 contract may be used for cancellation or termination
19 costs.”.

20 (b) CLERICAL AMENDMENT.—The table of sections at
21 the beginning of chapter 17, United States Code, is amended
22 by adding at the end the following:

“670. Procurement authority for family housing.”.

1 **SEC. 303. AIR STATION CAPE COD IMPROVEMENTS.**

2 (a) *IN GENERAL.*—Chapter 17 of title 14, United
3 States Code, is amended by adding after section 670 (as
4 added by section 302 of this Act) the following new section:

5 **“§ 671. Air Station Cape Cod improvements**

6 “The Secretary may expend funds for the repair, im-
7 provement, restoration, or replacement of those federally or
8 nonfederally owned support buildings, including appur-
9 tenances, which are on leased or permitted real property
10 constituting Coast Guard Air Station Cape Cod, located on
11 Massachusetts Military Reservation, Cape Cod, Massachu-
12 setts.”.

13 (b) *CLERICAL AMENDMENT.*—The table of sections at
14 the beginning of chapter 17, United States Code, is amended
15 by adding after the item relating to section 670 (as added
16 by section 302 of this Act) the following:

“671. Air Station Cape Cod improvements.”.

17 **SEC. 304. LONG-TERM LEASE AUTHORITY FOR AIDS TO**
18 **NAVIGATION.**

19 (a) Chapter 17 of title 14, United States Code, is
20 amended by adding after section 671 (as added by section
21 303 of this Act) the following new section:

22 **“§ 672. Long-term lease authority for navigation and**
23 **communications systems sites**

24 “(a) The Secretary is authorized, subject to the avail-
25 ability of appropriations, to enter into lease agreements to

1 *acquire real property or interests therein for a term not*
2 *to exceed 20 years, inclusive of any automatic renewal*
3 *clauses, for aids to navigation (hereafter in this section re-*
4 *ferred to as 'ATON') sites, vessel traffic service (hereafter*
5 *in this section referred to as 'VTS') sensor sites, or National*
6 *Distress System (hereafter in this section referred to as*
7 *'NDS') high level antenna sites. These lease agreements shall*
8 *include cancellation and termination provisions to the ex-*
9 *tent necessary to protect the best interests of the United*
10 *States. Cancellation payment provisions may include con-*
11 *sideration of both recurring and nonrecurring costs associ-*
12 *ated with the real property interests under the contract.*
13 *These lease agreements may provide for a cancellation pay-*
14 *ment to be made. Amounts that were originally obligated*
15 *for the cost of the contract may be used for cancellation*
16 *or termination costs.*

17 “(b) The Secretary may enter into multiyear lease
18 agreements under subsection (a) of this section whenever the
19 Secretary finds that—

20 “(1) the use of such a lease agreement will pro-
21 mote the efficiency of the ATON, VTS, or NDS pro-
22 grams and will result in reduced total costs under the
23 agreement;

24 “(2) the minimum need for the real property or
25 interest therein to be leased is expected to remain sub-

1 *stantially unchanged during the contemplated lease*
2 *period; and*

3 “(3) *the estimates of both the cost of the lease*
4 *and the anticipated cost avoidance through the use of*
5 *a multiyear lease are realistic.”.*

6 *(b) The table of sections at the beginning of chapter*
7 *17 of title 14, United States Code, is amended by adding*
8 *after the item relating to section 671 (as added by section*
9 *303 of this Act) the following:*

 “672. *Long-term lease authority for navigation and communications systems*
 sites.”.

10 **SEC. 305. AUTHORITY FOR EDUCATIONAL RESEARCH**
11 **GRANTS.**

12 *(a) IN GENERAL.—Chapter 9 of title 14, United States*
13 *Code, is amended by adding at the end the following new*
14 *section:*

15 **“§ 196. Participation in Federal, State, or other edu-**
16 **ational research grants**

17 *“Notwithstanding any other provision of law, the*
18 *United States Coast Guard Academy may compete for and*
19 *accept Federal, State, or other educational research grants,*
20 *subject to the following limitations:*

21 “(1) *No award may be accepted for the acquisi-*
22 *tion or construction of facilities.*

23 “(2) *No award may be accepted for the routine*
24 *functions of the Academy.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
2 *the beginning of chapter 9 of title 14, United States Code,*
3 *is amended by adding at the end the following:*

“196. Participation in Federal, State, or other educational research grants.”.

4 **SEC. 306. PREPOSITIONED OIL SPILL CLEANUP EQUIP-**
5 **MENT.**

6 *The Secretary of Transportation is authorized to ex-*
7 *pend out of amounts appropriated for acquisition, construc-*
8 *tion, and improvement that are derived from the Oil Spill*
9 *Liability Trust Fund for fiscal year 1994—*

10 (1) *\$890,000 to acquire and preposition oil spill*
11 *response equipment at Port Arthur, Texas, and*

12 (2) *\$890,000 to acquire and preposition oil spill*
13 *response equipment at Helena, Arkansas, subject to*
14 *the Secretary determining that adequate storage and*
15 *maintenance facilities are available.*

16 **SEC. 307. SHORE FACILITIES IMPROVEMENTS AT COAST**
17 **GUARD STATION LITTLE CREEK, VIRGINIA.**

18 (a) *The Secretary of Transportation, subject to the*
19 *availability of appropriations, may at Coast Guard Station*
20 *Little Creek, Virginia—*

21 (1) *construct a 2-story station building with*
22 *operational, administrative, and living spaces;*

23 (2) *construct a 180-foot long pier for Coast*
24 *Guard patrol boats;*

25 (3) *construct a boat ramp; and*

1 (4) *strengthen a waterfront bulkhead.*

2 (b) *Funds necessary to carry out this section are au-*
3 *thorized to be appropriated for fiscal years 1994, 1995, and*
4 *1996.*

5 **SEC. 308. OIL SPILL TRAINING SIMULATOR.**

6 *The Secretary of Transportation is authorized to ex-*
7 *pend out of the amounts appropriated for fiscal year 1994*
8 *for acquisition, construction, and improvement that are de-*
9 *rived from the Oil Spill Liability Trust Fund not more*
10 *than \$1,250,000 to the New York Maritime College of the*
11 *State of New York to purchase a marine oil spill manage-*
12 *ment simulator.*

13 **SEC. 309. GULF OF MEXICO REGIONAL FISHERIES LAW EN-**
14 **FORCEMENT TRAINING CENTER.**

15 *The Coast Guard shall establish the Gulf of Mexico Re-*
16 *gional Fisheries Law Enforcement Training Center in the*
17 *Eighth Coast Guard District in Southeastern Louisiana.*
18 *The purpose of the Gulf of Mexico Regional Fisheries Law*
19 *Enforcement Training Center shall be to increase the skills*
20 *and training of Coast Guard fisheries law enforcement per-*
21 *sonnel and to ensure that such training considers and meets*
22 *the unique and complex needs and demands of the fisheries*
23 *of the Gulf of Mexico.*

1 **SEC. 310. OIL SPILL PREVENTION AND RESPONSE TECH-**
2 **NOLOGY TEST AND EVALUATION PROGRAM.**

3 (a) *Not later than 6 months after the date of enactment*
4 *of this Act, the Secretary of Transportation shall establish*
5 *a program to evaluate the technological feasibility and envi-*
6 *ronmental benefits of having tank vessels carry oil spill pre-*
7 *vention and response technology. To implement the pro-*
8 *gram the Secretary shall—*

9 (1) *publish in the Federal Register an invitation*
10 *for submission of proposals including plans and pro-*
11 *cedures for testing; and*

12 (2) *review and evaluate technology using, to the*
13 *maximum extent possible, existing evaluation and*
14 *performance standards.*

15 (b) *The Secretary shall, to the maximum extent pos-*
16 *sible, incorporate in the program established in subsection*
17 *(a), the results of existing studies and evaluations of oil spill*
18 *prevention and response technology carried on tank vessels.*

19 (c) *Not later than 2 years after the date of the enact-*
20 *ment of this Act, the Secretary shall evaluate the results*
21 *of the program established in subsection (a) and submit a*
22 *report to Congress with recommendations on the feasibility*
23 *and environmental benefits of, and appropriate equipment*
24 *and utilization standards for, requiring tank vessels to*
25 *carry oil spill prevention and response equipment.*

1 (d) Not later than 6 months after the date of the enact-
2 ment of this Act, the Secretary shall evaluate and report
3 to the Congress on the feasibility of using segregated ballast
4 tanks for emergency transfer of cargo and storage of recov-
5 ered oil.

6 **SEC. 311. UNMANNED SEAGOING BARGES.**

7 Section 3302 of title 46, United States Code, is amend-
8 ed by adding at the end the following:

9 “(m) A seagoing barge is not subject to inspection
10 under section 3301(6) of this title if the vessel is unmanned
11 and does not carry—

12 “(1) a hazardous material as cargo; or

13 “(2) a flammable or combustible liquid, includ-
14 ing oil, in bulk.”.

15 **SEC. 312. PROHIBITION ON DECOMMISSIONING ICE-**
16 **BREAKER MACKINAW.**

17 (a) The Secretary of Transportation may not decom-
18 mission the Coast Guard cutter MACKINAW until the later
19 of—

20 (1) 1 year after transmitting to the Congress the
21 report required under subsection (c); or

22 (2) October 1, 1994.

23 (b) There is authorized to be appropriated to the Sec-
24 retary of Transportation \$1,600,000 for fiscal year 1994,

1 *to remain available until expended, for operations and*
2 *maintenance of the Coast Guard cutter MACKINAW.*

3 *(c) Not later than 6 months after the date of enactment*
4 *of this Act, the Secretary of Transportation shall conduct*
5 *a study and submit a report to the Congress on the*
6 *icebreaking needs of the Great Lakes and the appropriate*
7 *size and type of vessel or vessels to meet those needs. In*
8 *conducting this study, the Secretary shall—*

9 *(1) consult with—*

10 *(A) Great Lakes shippers, including the*
11 *Lake Carriers Association;*

12 *(B) the Great Lakes Commission;*

13 *(C) the Governors of States bordering the*
14 *Great Lakes;*

15 *(D) local governments in States bordering*
16 *the Great Lakes; and*

17 *(E) interested private persons;*

18 *(2) determine the average and maximum ice con-*
19 *ditions in the Great Lakes over the past 10 years;*

20 *(3) determine the size and type of vessel or ves-*
21 *sels necessary to clear shipping channels in the aver-*
22 *age and maximum ice conditions determined under*
23 *paragraph (2); and*

24 *(4) evaluate whether any Coast Guard vessel sta-*
25 *tioned on the Great Lakes, other than the MACKI-*

1 *retary of Transportation may use up to \$600,000 for con-*
2 *ducting the studies required under subsection (a).*

3 **SEC. 315. LOWER COLUMBIA RIVER MARINE FIRE AND SAFE-**
4 **TY ACTIVITIES.**

5 *The Secretary of Transportation is authorized to ex-*
6 *pend out of the amounts appropriated for the Coast Guard*
7 *for fiscal year 1994 not more than \$421,700, for fiscal year*
8 *1995 not more than \$358,300, and for fiscal year 1996 not*
9 *more than \$300,000 for the lower Columbia River marine,*
10 *fire, oil, and toxic spill response communications, training,*
11 *equipment, and program administration activities con-*
12 *ducted by the Marine Fire and Safety Association.*

13 **SEC. 316. TRANSFER OF LIGHTHOUSES.**

14 *(a) AUTHORITY TO TRANSFER.—*

15 *(1) IN GENERAL.—The Secretary may convey by*
16 *any appropriate means to the Washington State*
17 *Parks and Recreation Commission all right, title, and*
18 *interest of the United States in and to property com-*
19 *prising 1 or more of the Cape Disappointment Light-*
20 *house, North Head Lighthouse, and Point Wilson*
21 *Lighthouse.*

22 *(2) IDENTIFICATION OF PROPERTY.—The Sec-*
23 *retary may identify, describe, and determine property*
24 *conveyed pursuant to this section.*

25 *(b) TERMS AND CONDITIONS.—*

1 (1) *IN GENERAL.*—*The conveyance of property*
2 *pursuant to subsection (a) shall be made—*

3 (A) *without the payment of consideration;*

4 *and*

5 (B) *subject to such terms and conditions as*
6 *the Secretary may consider appropriate.*

7 (2) *REVERSIONARY INTEREST.*—*In addition to*
8 *any term or condition established pursuant to para-*
9 *graph (1), any conveyance of property comprising*
10 *Cape Disappointment Lighthouse, North Head Light-*
11 *house, or Point Wilson Lighthouse pursuant to this*
12 *section shall be subject to the condition that all right,*
13 *title, and interest in and to the property so conveyed*
14 *shall immediately revert to the United States if the*
15 *property, or any part thereof—*

16 (A) *ceases to be used as a center for public*
17 *benefit for the interpretation and preservation of*
18 *maritime history;*

19 (B) *ceases to be maintained in a manner*
20 *that ensures its present or future use as a Coast*
21 *Guard aid to navigation; or*

22 (C) *ceases to be maintained in a manner*
23 *consistent with the provisions of the National*
24 *Historic Preservation Act of 1966 (16 U.S.C.*
25 *470 et seq.).*

1 (3) *REQUIRED CONDITIONS.*—Any conveyance of
2 property pursuant to this section shall be made sub-
3 ject to such conditions as the Secretary considers to
4 be necessary to assure that—

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

10 (B) *the Washington State Parks and Recre-*
11 *ation Commission may not interfere or allow in-*
12 *terference in any manner with such aids to navi-*
13 *gation without express written permission from*
14 *the Secretary of Transportation;*

15 (C) *there is reserved to the United States*
16 *the right to relocate, replace, or add any aids to*
17 *navigation or make any changes on any portion*
18 *of such property as may be necessary for naviga-*
19 *tion purposes;*

20 (D) *the United States shall have the right,*
21 *at any time, to enter such property without no-*
22 *tice for the purpose of maintaining aids to navi-*
23 *gation;*

24 (E) *the United States shall have an ease-*
25 *ment of access to such property for the purpose*

1 *of maintaining the aids to navigation in use on*
2 *the property; and*

3 *(F) the property shall be rehabilitated and*
4 *maintained by the owner in accordance with the*
5 *provisions of the National Historic Preservation*
6 *Act of 1966 (16 U.S.C. 470 et seq.).*

7 *(4) MAINTENANCE OF CERTAIN EQUIPMENT NOT*
8 *REQUIRED.—The Washington State Parks and Recre-*
9 *ation Commission shall not have any obligation to*
10 *maintain any active aid to navigation equipment on*
11 *property conveyed pursuant to this section.*

12 *(c) DEFINITIONS.—For purposes of this section, the*
13 *term—*

14 *(1) “Cape Disappointment Lighthouse” means*
15 *the Coast Guard lighthouse located at Fort Canby*
16 *State Park, Washington, including—*

17 *(A) the lighthouse, excluding any lantern or*
18 *lens that is the personal property of the Coast*
19 *Guard; and*

20 *(B) such land as may be necessary to enable*
21 *the Washington State Parks and Recreation*
22 *Commission to operate at that lighthouse a cen-*
23 *ter for public benefit for the interpretation and*
24 *preservation of the maritime history;*

1 (2) “North Head Lighthouse” means the Coast
2 Guard lighthouse located at Fort Canby State Park,
3 Washington, including—

4 (A) the lighthouse, excluding any lantern or
5 lens that is the personal property of the Coast
6 Guard;

7 (B) ancillary buildings; and

8 (C) such land as may be necessary to enable
9 the Washington State Parks and Recreation
10 Commission to operate at that lighthouse a cen-
11 ter for public benefit for the interpretation and
12 preservation of maritime history;

13 (3) “Point Wilson Lighthouse” means the Coast
14 Guard lighthouse located at Fort Worden State Park,
15 Washington, including—

16 (A) the lighthouse, excluding any lantern or
17 lens that is the personal property of the Coast
18 Guard;

19 (B) 2 ancillary buildings; and

20 (C) such land as may be necessary to enable
21 the Washington State Parks and Recreation
22 Commission to operate at that lighthouse a cen-
23 ter for public benefit for the interpretation and
24 preservation of maritime history; and

1 (4) “Secretary” means the Secretary of the de-
2 partment in which the Coast Guard is operating.

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