

§ 1220b. Obsolete ships available; number; equitable administration

A State may apply for more than one obsolete ship under this chapter. The Secretary shall, however, taking into account the number of obsolete ships which may be or become available for transfer under this chapter, administer this chapter in an equitable manner with respect to the various States.

(Pub. L. 92-402, § 5, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98-623, title II, § 207(1), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Pub. L. 98-623 substituted “obsolete ships” for “Liberty ships” wherever appearing.

§ 1220c. Denial of applications; finality of decision

A decision by the Secretary denying any application for a¹ obsolete ship under this chapter is final.

(Pub. L. 92-402, § 6, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98-623, title II, § 207(1), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Pub. L. 98-623 substituted “obsolete ship” for “Liberty ship”.

§ 1220c-1. Financial assistance to State to prepare transferred ship

(a) Assistance authorized

The Secretary, subject to the availability of appropriations, may provide, to any State to which an obsolete ship is transferred under this chapter, financial assistance to prepare the ship for use as an artificial reef, including for—

- (1) environmental remediation;
- (2) towing; and
- (3) sinking.

(b) Amount of assistance

The Secretary shall determine the amount of assistance under this section with respect to an obsolete ship based on—

- (1) the total amount available for providing assistance under this section;
- (2) the benefit achieved by providing assistance for that ship; and
- (3) the cost effectiveness of disposing of the ship by transfer under this chapter and provision of assistance under this section, compared to other disposal options for that ship.

(c) Terms and conditions

The Secretary—

- (1) shall require a State seeking assistance under this section to provide cost data and other information determined by the Secretary to be necessary to justify and document the assistance; and
- (2) may require a State receiving such assistance to comply with terms and conditions necessary to protect the environment and the interests of the United States.

(d) Limitation

The Secretary may not provide assistance under this section to a foreign country to which

an obsolete ship is transferred under this chapter.

(Pub. L. 92-402, § 7, as added Pub. L. 107-314, div. C, title XXXV, § 3504(a)(1)(B), Dec. 2, 2002, 116 Stat. 2754; amended Pub. L. 111-84, div. C, title XXXV, § 3513(b), Oct. 28, 2009, 123 Stat. 2724.)

PRIOR PROVISIONS

A prior section 7 of Pub. L. 92-402 was renumbered section 8 and is classified to section 1220d of this title.

AMENDMENTS

2009—Subsec. (d). Pub. L. 111-84 added subsec. (d).

§ 1220d. “Obsolete ship” defined

For purposes of sections 1220, 1220a, 1220b, and 1220c of this title, the term “obsolete ship” means any vessel owned by the Department of Transportation that has been determined to be of insufficient value for commercial or national defense purposes to warrant its maintenance and preservation in the national defense reserve fleet and has been designated as an artificial reef candidate.

(Pub. L. 92-402, § 8, formerly § 7, as added Pub. L. 98-623, title II, § 207(4), Nov. 8, 1984, 98 Stat. 3397; renumbered § 8, Pub. L. 107-314, div. C, title XXXV, § 3504(a)(1)(A), Dec. 2, 2002, 116 Stat. 2754.)

CHAPTER 26—ESTUARINE AREAS

Sec.	
1221.	Congressional declaration of policy.
1222.	General study and inventory of estuaries and their natural resources.
1223.	Agreements with States and subdivisions; equitable sharing of costs; development improvements; availability of appropriations; State hunting and fishing laws applicable.
1224.	Commercial and industrial development considerations; reports to Congress; recommendations.
1225.	State consideration of protection and restoration of estuaries in State comprehensive planning and proposals for financial assistance under certain Federal laws; grants; terms and conditions, prohibition against disposition of lands without approval of the Secretary.
1226.	Federal agency authority to carry out Federal project within an estuary unaffected.

§ 1221. Congressional declaration of policy

Congress finds and declares that many estuaries in the United States are rich in a variety of natural, commercial, and other resources, including environmental natural beauty, and are of immediate and potential value to the present and future generations of Americans. It is therefore the purpose of this chapter to provide a means for considering the need to protect, conserve, and restore these estuaries in a manner that adequately and reasonably maintains a balance between the national need for such protection in the interest of conserving the natural resources and natural beauty of the Nation and the need to develop these estuaries to further the growth and development of the Nation. In connection with the exercise of jurisdiction over the estuaries of the Nation and in consequence of the benefits resulting to the public, it is declared to be the policy of Congress to recognize, preserve, and protect the responsibilities of the

¹ So in original. Probably should be “an”.