

§ 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1220d of this title.

§ 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”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1220d of this title.

§ 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 Sec-

retary 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.

(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.)

PRIOR PROVISIONS

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

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1220a of this title.

§ 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.

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| 1221. | Congressional declaration of policy. |
| 1222. | General study and inventory of estuaries and their natural resources. <ol style="list-style-type: none"> (a) Estuaries included; considerations; other applicable studies. (b) Federal or State land acquisition or administration; other protective methods. (c) Report to Congress; recommendations; authorization for acquisition of lands; consultation with States and Federal agencies; accompanying statement of views, probable effects, and major trends. (d) Authorization of appropriations. |
| 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

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