(5) an evaluation of alternative methods of allotting Federal funds among the States that desire Federal assistance, including recommendations, if needed for a statutory formula for apportioning Federal funds; and

(6) a discussion of other problems affecting cooperation among the States that relate to effective participation of State agencies in the national pipeline safety program.

The report shall be prepared by the Secretary after consultation with the cooperating State agencies and the national organization of State commissions.

SEC. 6. Section 6(f)(3)(A) of the Department of Transportation Act (49 U.S.C. 1655(f)(3)(A)) is amended by striking out "and pipeline". 80 Stat. 940.

Approved August 22, 1972.

Public Law 92-402

AN ACT

August 22, 1972
[H. R. 13324]

To authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce, and for related purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated without fiscal year limitation as the appropriation Act may provide for the use of the Department of Commerce, for the fiscal year 1973, as follows:

Commerce Department maritime programs.
Appropriation authorization.

(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $280,000,000, of which $30,000,000 is for the purchase of modern or reconstructed United States-flag vessels for lay-up in the National Defense Reserve Fleet;

(b) payment of obligations incurred for ship operation subsidies, $232,000,000;

(c) expenses necessary for research and development activities (including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operation), $30,000,000;

(d) reserve fleet expenses, $3,900,000;

(e) maritime training at the Merchant Marine Academy at Kings Point, New York, $7,854,000; and

(f) financial assistance to State marine schools, $2,290,000.

SEC. 2. Section 905(a) of the Merchant Marine Act, 1936, is amended as follows: 52 Stat. 964; 84 Stat. 1034. 46 USC 1244.

(1) By inserting after the words "except that" the words "in the context of section 607 of this Act concerning capital construction funds and". 84 Stat. 1026. 46 USC 1177.

(2) By striking out the words "to the extent provided in uniform regulations promulgated by the Secretary of Commerce".

(3) By inserting before the period at the end thereof the words "in their operation or in competing for charters, subject to rules and

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46 USC 1114.

regulations promulgated by the Secretary of Commerce pursuant to section 204(b) of this Act".

Liberty ships, use as artificial reefs.

SEC. 3. (a) Any State may apply to the Secretary of Commerce (hereafter referred to in this Act as the "Secretary") for Liberty ships which, but for the operation of this Act, would be designated by the Secretary for scrapping if the State intends to sink such ships for use as an offshore artificial reef for the conservation of marine life.

Conditions.

(b) A State shall apply for Liberty ships under this Act in such manner and form as the Secretary shall prescribe, but such application shall include at least (1) the location at which the State proposes to sink the ships, (2) a certificate from the Administrator, Environmental Protection Agency, that the proposed use of the particular vessel or vessels requested by the State will be compatible with water quality standards and other appropriate environmental protection requirements, and (3) statements and estimates with respect to the conservation goals which are sought to be achieved by use of the ships.

(c) Before taking any action with respect to an application submitted under this Act, the Secretary shall provide copies of the application to the Secretary of the Interior, the Secretary of Defense, and any other appropriate Federal officer, and shall consider comments and views of such officers with respect to the application.

SEC. 4. If, after consideration of such comments and views as are received pursuant to section 3(c), the Secretary finds that the use of Liberty ships proposed by a State will not violate any Federal law, contribute to degradation of the marine environment, create undue interference with commercial fishing or navigation, and is not frivolous, he shall transfer without consideration to the State all right, title, and interest of the United States in and to any Liberty ships which are available for transfer under this Act if—

(1) the State gives to the Secretary such assurances as he deems necessary that such ships will be utilized and maintained only for the purposes stated in the application and, when sunk, will be charted and marked as a hazard to navigation;

(2) the State agrees to secure any licenses or permits which may be required under the provisions of any other applicable Federal law;

(3) the State agrees to such other terms and conditions as the Secretary shall require in order to protect the marine environment and other interests of the United States; and

(4) the transfer would be at no cost to the Government with the State taking delivery of such Liberty ships at fleetside of the National Defense Reserve Fleet in an "as is—where is" condition.

SEC. 5. A State may apply for more than one Liberty ship under this Act. The Secretary shall, however, taking into account the number of Liberty ships which may be or become available for transfer under this Act, administer this Act in an equitable manner with respect to the various States.

SEC. 6. A decision by the Secretary denying any application for a Liberty ship under this Act is final.

Approved August 22, 1972.