

Public Law 97-136
97th Congress

An Act

To authorize appropriations for the Coast Guard for fiscal year 1982, and for other purposes.

Dec. 29, 1981
[S. 831]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 1982 as follows:

Coast Guard,
appropriation
authorization.

(1) For the operation and maintenance of the Coast Guard, including expenses related to the Capehart housing debt reduction, \$1,404,800,000.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$537,200,000.

(3) For the alteration or removal of bridges over navigable waters of the United States, constituting obstructions to navigation, \$17,500,000.

(4) For research, development, test, and evaluation, \$29,730,000 of which sufficient funds shall be made available to continue in operation a Coast Guard research and development center through the end of the 1982 fiscal year: *Provided*, That the Coast Guard submits its research, development, test, and evaluation program plan, including the continuation or operation of a research and development center, for fiscal year 1982 to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate for approval before implementation.

SEC. 2. For fiscal year 1982, the Coast Guard is authorized an end-of-year strength for active duty personnel of 42,224. This end-of-year strength shall not include members of the Ready Reserve called to active duty under the authority of section 712 of title 14, United States Code.

Active duty
personnel.

SEC. 3. For fiscal year 1982, the Coast Guard is authorized average military training student loads as follows:

Military
training
students loads.

(1) For recruit and special training, 3,660 student-years.

(2) For flight training, 118 student-years.

(3) For professional training in military and civilian institutions, 655 student-years.

(4) For officer acquisition, 1,038 student-years.

SEC. 4. Notwithstanding any other provision of law, the fiscal 1982 end-of-year civilian personnel strength of the Coast Guard shall be at least 5,484.

Civilian
personnel.

SEC. 5. The Act of October 3, 1980 (Public Law 96-376; 94 Stat. 1509), is amended—

(1) in paragraph (1) of the first section, by striking out "\$1,248,367,000" and substituting "\$1,337,207,000"; and

(2) in section 2, by striking out "39,600" and substituting "39,819".

SEC. 6. (a)(1) Subsection (a) of section 41a of title 14, United States Code, is amended to read as follows:

Active duty promotion list.

“(a) The Secretary shall maintain a single active duty promotion list of officers of the Coast Guard on active duty in the grades of ensign and above. Reserve officers on active duty, other than pursuant to an active duty agreement executed under section 679 of title 10, retired officers, and officers of the permanent commissioned teaching staff of the Coast Guard Academy shall not be included on the active duty promotion list.”

(2) Subsection (b) of such section is amended by striking out the period at the end of the second sentence and substituting “, except that the rear admiral serving as Chief of Staff shall be the senior rear admiral for all purposes other than pay.”

(3) Subsection (d) of such section is amended by striking out “extended”.

14 USC 290.

(b) Section 290(a) of such title is amended by inserting “or in the position of Chief of Staff” in the second sentence after “vice admiral”.

(c)(1) Section 711 of such title is amended by striking out the first sentence.

(2) The heading of such section is amended to read as follows:

“§711. Exclusiveness of service”.

(3) The item relating to section 711 in the analysis of chapter 21 is amended to read as follows:

“711. Exclusiveness of service.”

(d) Section 93(p) of such title is amended by inserting “including telephones in residences leased or owned by the Government of the United States when appropriate to assure efficient response to extraordinary operational contingencies of a limited duration,” after “of such lines and cables.”

Housing leases.

SEC. 7. Section 475(a) of title 14, United States Code, is amended by inserting after the first sentence thereof the following new sentences:

“The Secretary is also authorized to lease housing facilities for assignment as public quarters, without rental charge, to military personnel who are on sea duty or duty at remote offshore Coast Guard stations and who do not have dependents. Such authority shall be effective in any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.”

Temporary Reserve members, benefit computation.

SEC. 8. (a) The third sentence of section 707(a) of title 14, United States Code, is amended to read as follows: “For benefit computation, regardless of pay or pay status, the member is considered to have had monthly pay of the monthly equivalent of the minimum rate of basic pay in effect for grade GS-9 of the General Schedule on the date the injury is incurred.”

5 USC 5332 note.

Effective date. 14 USC 707 note.

(b) The amendment made by subsection (a) shall apply only with respect to payments for benefits under section 707(a) of title 14, United States Code, for months beginning on or after the date of the enactment of this Act.

SEC. 9. The Act of July 5, 1884 (46 U.S.C. 2 et seq.), is amended by adding at the end thereof the following new section:

Vessel inspection, examination or documentation. 46 USC 9.

“SEC. 8. (a) The original and periodic inspections or examinations of a vessel documented or to be documented as a vessel of the United States, both in the United States and in foreign countries, may be delegated to the maximum extent practicable by the Secretary of the department in which the Coast Guard is operating to the American Bureau of Shipping, or similar American classification society, or agent thereof, who may issue certificates of inspection, attesting to

compliance with existing Coast Guard regulations, and such other certificates as are essential to documentation.

“(b) The Secretary of the department in which the Coast Guard is operating may also contract or enter into agreements with or utilize the American Bureau of Shipping, or similar American classification society for the review and approval of vessel hull, machinery, piping, and electrical plans.

Contracts and agreements.

“(c) The Secretary of the department in which the Coast Guard is operating shall report to the Congress on the implementation of subsections (a) and (b) within 6 months of the date of the enactment of this section, and annually thereafter for 3 years. Such report shall include the views of the affected industry on the implementation of those subsections.”

Report to Congress.

SEC. 10. Paragraphs (1) and (2) of section 104 of the Vessel Documentation Act (Public Law 96-594; 94 Stat. 3453) are amended to read as follows:

46 USC 65b.

“(1) an individual who is a citizen of the United States, or an association, trust, joint venture, or other entity capable of holding title to a vessel, under the law of the United States, of any State, territory, or possession of the United States, of the District of Columbia, or of the Commonwealth of Puerto Rico, all of the members of which are citizens of the United States;

“(2) a partnership whose general partners are citizens of the United States, and the controlling interest in the partnership is owned by citizens of the United States;”

SEC. 11. Section 7 of the Act of May 21, 1920 (31 U.S.C. 686), is amended by inserting “Coast Guard,” in the first proviso of subsection (a) after “Federal Aviation Agency,”

SEC. 12. Nothing in this Act shall be construed to authorize or provide funds for removing facilities of Coast Guard Group Port Angeles from Ediz Hook.

SEC. 13. (a) The Congress, in recognition of the heroic efforts that resulted in the saving, under extremely adverse conditions, of the lives of all 510 passengers aboard the motor vessel Prinsendam which caught fire off the coast of Alaska on October 4, 1980, hereby honors and expresses its thanks to the members of the Coast Guard, the individuals of the United States and Canadian Air Forces, and the crew of the tanker Williamsburg and all others who participated directly in this valiant undertaking, as well as the crew of the Prinsendam.

Prinsendam, congressional recognition of rescue efforts.

(b) The Commandant of the Coast Guard shall determine the names and addresses of those individuals honored under subsection (a), and provide the names and addresses to the Clerk of the House of Representatives who shall convey in appropriate language the appreciation of Congress to each such individual for his or her actions in connection with the Prinsendam rescue.

SEC. 14. The Coast Guard shall deploy at least one helicopter for search and rescue, as well as other missions of the Coast Guard, at each of the following sites: Newport, Oregon; Cordova, Alaska; and Charleston, South Carolina.

Helicopter deployment.

SEC. 15. The Rogue River station in Oregon operated by the Coast Guard shall remain in operation until at least October 31 of each year.

Approved December 29, 1981.

LEGISLATIVE HISTORY—S. 831 (H.R. 2559):

HOUSE REPORT No. 97-62 accompanying H.R. 2559 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 97-45 (Comm. on Commerce, Science, and Transportation). CONGRESSIONAL RECORD, Vol. 127 (1981):

May 4, considered and passed Senate.

Dec. 8, 14, H.R. 2559 considered and passed House; passage vacated and S. 831, amended, passed in lieu.

Dec. 16, Senate concurred in House amendment with an amendment; House concurred in Senate amendment.