

Public Law 95-308
95th Congress

An Act

June 30, 1978
[H.R. 11465]

To authorize appropriations for the United States Coast Guard for fiscal year 1979, and for other purposes.

U.S. Coast
Guard.
Appropriation
authorization.

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 for necessary expenses of the United States Coast Guard for fiscal year 1979, as follows:

(1) For the operation and maintenance of the Coast Guard, including expenses related to the Capehart housing debt reduction: \$969,906,000;

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto: \$379,954,000 to remain available until expended;

(3) For the alteration or removal of bridges over navigable waters of the United States, constituting obstructions to navigation: \$34,603,000, to remain available until expended; and

(4) For research, development, test, and evaluation: \$25,000,000, to remain available until expended.

SEC. 2. For fiscal year 1979, the Coast Guard is authorized an end of year strength for active duty personnel of 39,331: *Provided*, That the ceiling shall not include members of the Ready Reserve called to active duty under the authority of section 764 of title 14, United States Code.

SEC. 3. For fiscal year 1979, average military training students loads for the Coast Guard are authorized as follows:

(1) recruit and special training: 3,962 students;

(2) flight training: 95 students;

(3) professional training in military and civilian institutions: 436 students; and

(4) officer acquisitions: 952 students.

SEC. 4. Section 30 of the Federal Boat Safety Act of 1971 (46 U.S.C. 1479) is amended by striking out "and 1978," and inserting in lieu thereof "1978, 1979, and 1980."

SEC. 5. The Coast Guard is authorized to enter into a long-term lease in excess of one fiscal year for the purpose of acquiring a site on the Quillayute Indian Reservation in the State of Washington so that the Quillayute River Coast Guard Station may be relocated: *Provided*, That any such agreement entered into pursuant to this section shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts. The Coast Guard is also authorized to expend, commencing with fiscal year 1979, appropriated funds for the construction of fixed facilities and improvements on such land leased from the Quillayute Indians.

SEC. 6. Subsection (b) of the first section of the Act of August 27, 1935 (relating to load lines for certain vessels) (46 U.S.C. 88(b)), is amended by (1) striking out "All" and inserting in lieu thereof "The requirements of this Act shall not apply to (1) all"; (2) striking out "except those constructed after the effective date of this subsection or those converted to either of such services after 5 years from the effective date of this subsection and" and inserting in lieu thereof

“which were constructed, or with respect to which construction was begun or contracted for, before January 1, 1980, or which were converted to such use, or with respect to which conversion to such use was begun or contracted for, before January 1, 1980, so long as such conversion was completed before January 1, 1983 (in the case of conversions); or (2)”; and (3) striking out “, are exempt from the requirements of this Act”.

SEC. 7. Section 10 of the Act of May 28, 1908 (relating to seagoing barges) (46 U.S.C. 395), is amended by (1) redesignating subsection (c) as subsection (d); and (2) inserting immediately after subsection (b) the following:

“(c) During the period beginning January 1, 1977, and ending January 1, 1982, the provisions of subsection (b) shall not apply to vessels of not more than 5,000 gross tons used in the processing or assembling of fishery products in the fisheries of the States of Oregon, Washington, and Alaska.”.

SEC. 8. (a) The Congress finds and declares the following:

(1) The transportation, production and handling of oil in, on, or near the navigable and ocean waters of the Columbia River Basin system creates substantial environmental risks, and may cause serious damage to the general health, welfare, and economy of this region.

(2) The vitality of the Columbia River estuary and marine environment is crucial to the maintenance and enhancement of major fishery resources for the enjoyment and livelihood of present and future generations.

(3) The protection and betterment of this marine, estuarine and fresh water river system requires a thorough, detailed assessment of the current plans and capabilities to best prevent, contain, clean-up and mitigate the damages resulting from possible oil spills and discharges in the system.

(b) Within 180 days after the date of enactment of this section, the Commandant of the Coast Guard, in consultation with the appropriate Federal, State, and local agencies, shall conduct a systematic, detailed evaluation on the—

(1) current procedures, safeguards, and capabilities to best prevent, contain, clean-up, and mitigate damages resulting from oil spills and discharges in, on, or near the navigable and ocean waters of the Columbia River Basin system;

(2) available and required oceanographic meteorological, and other relevant data necessary to best provide for the management referred to in paragraph (1);

(3) potential risk of existing and projected oil tanker traffic in, on, or near the navigable and ocean waters of the Columbia River Basin system causing harm to the environment of such system due to oil spills, fuel dumping, residual discharges, and other releases of crude oil or petroleum products; and

(4) need for legislation or other strategies to insure protection of such system and its environment, including the prompt development of an orderly, step-by-step contingency plan to contain, clean-up, and mitigate the damages resulting from the conditions referred to in paragraph (3).

The Commandant shall submit the results of such evaluation, immediately upon completion, including such recommendations as he deems

Oil spills.
Columbia River
Basin system.
33 USC 1254
note.

Study.

Report to
congressional
committees.

necessary, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives.

91 Stat. 259.

SEC. 9. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

Approved June 30, 1978.

The Congress of the United States of America, in the Senate and House of Representatives, do hereby enact the following laws: (a) That the sum of \$892,900,000 be and it is hereby appropriated for the Coast Guard for fiscal year 1978, to remain available until September 30, 1978, and to be available for the purpose of the Coast Guard for the fiscal year 1978.

SEC. 10. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

SEC. 11. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

SEC. 12. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

SEC. 13. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

SEC. 14. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

SEC. 15. Paragraph (1) of the first section of the Act of July 1, 1977 (authorizing appropriations for the Coast Guard for fiscal year 1978) is amended by striking out "\$887,521,000;" and inserting in lieu thereof "\$892,900,000;".

LEGISLATIVE HISTORY:

- HOUSE REPORT No. 95-1030 (Comm. on Merchant Marine and Fisheries).
- SENATE REPORT No. 95-817 (Comm. on Commerce, Science, and Transportation).
- CONGRESSIONAL RECORD, Vol. 124 (1978):
 - Apr. 17, considered and passed House.
 - May 19, considered and passed Senate, amended.
 - June 14, House concurred in Senate amendments.

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Report of the Committee on Merchant Marine and Fisheries