

S 2279

R.M.S. Titanic Maritime Memorial Preservation Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Mar 29, 2012

Current Status: By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report.

Latest Action: By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report.

Report No. 112-247. (Dec 5, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/2279>

Sponsor

Name: Sen. Kerry, John F. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Isakson, Johnny [R-GA]	R · GA		Mar 29, 2012
Sen. Blumenthal, Richard [D-CT]	D · CT		Apr 16, 2012

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Nov 14, 2012

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
112 S 1426	Related bill	Jul 27, 2011: Read twice and referred to the Committee on Foreign Relations.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

R.M.S. Titanic Maritime Memorial Preservation Act of 2012 - Amends the R.M.S. Titanic Maritime Memorial Act of 1986 (the Act) to provide for the scope and applicability of the Act, including persons and vessels subject to U.S. jurisdiction.

Makes it unlawful for any such person or vessel to: (1) engage in an activity that disturbs, removes, or damages Titanic property; (2) engage in an activity at the Titanic wreck site that poses a significant threat to public safety; (3) engage in an activity that violates any provision of the Act; (4) sell, purchase, barter, import, or export in interstate or foreign commerce Titanic property not constituting a collection; or (5) enter or cause entry into the hull sections of the Titanic. Authorizes the Secretary of Commerce (Secretary) to issue a permit for an otherwise-prohibited activity if the activity is consistent with the International Agreement concerning the Shipwrecked Vessel R.M.S. Titanic, furthers educational, scientific, or cultural purposes, or is necessary to protect Titanic property from a significant threat.

Makes any person who engages in a prohibited activity liable for response costs, direct and indirect enforcement costs, and any damages resulting from such activity. Provides in rem liability for any vessel, vehicle, aircraft, or other property used to facilitate such a violation.

Subjects any violator to a permit sanction and possible civil administrative penalty of up to \$250,000 per day, and civil judicial penalty of up to \$500,000 per day. Authorizes penalty enforcement, as well as civil and in rem actions and injunctive relief, through the Attorney General. Provides a criminal penalty of up to \$250,000 per day, and imprisonment for up to five years, for knowing violations.

Allows the Secretary and the Secretary of Homeland Security (DHS) to enforce the provisions of the Act through detention and arrest, search and seizure of property pending disposition of civil or criminal proceedings, and forfeiture of previously-recovered Titanic property. Creates a rebuttable presumption that all Titanic property found on a vessel used or seized in connection with a violation was taken or retained in violation. Provides for: (1) final disposition of seized property, including possible assimilation with an existing Titanic collection; and (2) civil and criminal forfeitures of such property. Requires monies recovered directly or through the sale of forfeited property to be used by the Secretary for the conservation of Titanic artifacts or any Titanic collection, or the collection of the USS Monitor National Marine Sanctuary artifacts at the Mariners' Museum.

Authorizes the Secretary to inform and consult with representatives of foreign nations and others regarding the protection and preservation of Titanic property, including the issuance of property recovery permits. Authorizes the Secretary of State, in the event that a party to the International Agreement issues a recovery permit, to consult with such party to request that existing salvor-in-possession rights to the Titanic are respected and that there is consideration of assimilating any recovered property to an existing collection.

Authorizes the Secretary, in order to carry out the purposes of this Act, to: (1) enter into agreements for the use of personnel, services, equipment, or facilities; (2) utilize grant funds; (3) monitor the Titanic wreck site; and (4) promulgate regulations.

Allows the Secretary to establish the Titanic Advisory Council to advise and make recommendations to the Secretary regarding: (1) the protection and preservation of Titanic property and the conservation and curation of recovered artifacts, and (2) the preparation of a long-term Titanic site management plan.

Prohibits any civil or criminal action to enforce this Act after the date that is eight years after the date on which: (1) all facts material to the right of action or offense are known by the Secretary, and (2) jurisdiction can be exercised over the defendant.

Actions Timeline

- **Dec 5, 2012:** By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report. Report No. 112-247.
- **Nov 14, 2012:** Committee on Commerce, Science, and Transportation. Reported by Senator Rockefeller without amendment. Without written report.
- **Nov 14, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 550.
- **Jul 31, 2012:** Committee on Commerce, Science, and Transportation. Ordered to be reported without amendment favorably.
- **Mar 29, 2012:** Introduced in Senate
- **Mar 29, 2012:** Read twice and referred to the Committee on Commerce, Science, and Transportation.