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**AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MR. COHEN OF TENNESSEE**

Page 465, after line 6, insert the following new section:

1 SEC. 1071. TRANSFER OF T-37 JET TRAINING AIRCRAFT.

2 (a) AUTHORITY.—The Secretary of the Air Force
3 may convey, without consideration, to the Commemorative
4 Air Force Memphis, Memphis, Tennessee (in this section
5 referred to as the “organization”), all right, title, and in-
6 terest of the United States in and to one surplus T-37
7 Jet Training Aircraft. The conveyance shall be made by
8 means of a conditional deed or gift.

9 (b) CONDITION OF AIRCRAFT.—The Secretary may
10 not convey ownership of the aircraft under subsection (a)
11 until the Secretary determines that the organization has
12 altered the aircraft in such manner as the Secretary deter-
13 mines necessary to ensure that the aircraft does not have
14 any capability for use as a platform for any combat capa-
15 bility that it was designed to have. The Secretary is not
16 required to repair or alter the condition of the aircraft
17 before conveying ownership of the aircraft.

1 (c) REVERTER UPON BREACH OF CONDITION.—The
2 Secretary shall include in the instrument of conveyance
3 of the aircraft—

4 (1) a condition that the organization not convey
5 any ownership interest in, or transfer possession of,
6 the aircraft to any other party without the prior ap-
7 proval of the Secretary;

8 (2) a condition that the organization operate
9 and maintain the aircraft in compliance with all ap-
10 plicable limitations and maintenance requirements
11 imposed by the Administrator of the Federal Avia-
12 tion Administration; and

13 (3) a condition that if the Secretary determines
14 at any time that the organization has conveyed an
15 ownership interest in, or transferred possession of,
16 the aircraft to any other party without the prior ap-
17 proval of the Secretary, or has failed to comply with
18 the condition set forth in paragraph (2), all right,
19 title, and interest in and to the aircraft, including
20 any repair or alteration of the aircraft, shall revert
21 to the United States, and the United States shall
22 have the right of immediate possession of the air-
23 craft.

24 (d) CONVEYANCE AT NO COST TO THE UNITED
25 STATES.—The conveyance of an aircraft authorized by

1 this section shall be made at no cost to the United States.
2 Any costs associated with such and costs of operation and
3 maintenance of the aircraft conveyed shall be borne by the
4 organization.

5 (e) ADDITIONAL TERMS AND CONDITIONS.—The
6 Secretary may require such additional terms and condi-
7 tions in connection with the conveyance under this section
8 as the Secretary considers appropriate to protect the inter-
9 ests of the United States.

10 (f) CLARIFICATION OF LIABILITY.—Notwithstanding
11 any other provision of law, upon conveyance of ownership
12 of the T-37 Jet Training Aircraft to the organization
13 under subsection (a), the United States shall not be liable
14 for any death, injury, loss, or damage that results from
15 any use of that aircraft by any person other than the
16 United States.

