

private initiatives. The Administrator shall coordinate outreach and education activities under this paragraph with any outreach programs conducted under section 1915 of this title.

**(c) Grants, cooperative agreements, and contracts**

**(1) In general**

The Administrator, acting through the Program, shall enter into cooperative agreements and contracts and provide financial assistance in the form of grants for projects to accomplish the purpose set forth in section 1951(1) of this title.

**(2) Grant cost sharing requirement**

**(A) In general**

Except as provided in subparagraph (B), Federal funds for any grant under this section may not exceed 50 percent of the total cost of such project. For purposes of this subparagraph, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

**(B) Waiver**

The Administrator may waive all or part of the matching requirement under subparagraph (A) if the Administrator determines that no reasonable means are available through which applicants can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

**(3) Amounts paid and services rendered under consent**

**(A) Consent decrees and orders**

If authorized by the Administrator or the Attorney General, as appropriate, the non-Federal share of the cost of a project carried out under this chapter may include money paid pursuant to, or the value of any in-kind service performed under, an administrative order on consent or judicial consent decree that will remove or prevent marine debris.

**(B) Other decrees and orders**

The non-Federal share of the cost of a project carried out under this chapter may not include any money paid pursuant to, or the value of any in-kind service performed under, any other administrative order or court order.

**(4) Eligibility**

Any State, local, or tribal government whose activities affect research or regulation of marine debris, and any institution of higher education, nonprofit organization, or commercial organization with expertise in a field related to marine debris, is eligible to submit to the Administrator a marine debris proposal under the grant program.

**(5) Grant criteria and guidelines**

Within 180 days after December 22, 2006, the Administrator shall promulgate necessary guidelines for implementation of the grant program, including development of criteria and priorities for grants. In developing those

guidelines, the Administrator shall consult with—

(A) the Interagency Committee;

(B) regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

(C) State, regional, and local governmental entities with marine debris experience;

(D) marine-dependent industries; and

(E) nongovernmental organizations involved in marine debris research, prevention, or removal activities.

**(6) Project review and approval**

The Administrator shall—

(A) review each marine debris project proposal to determine if it meets the grant criteria and supports the goals of this chapter;

(B) after considering any written comments and recommendations based on the review, approve or disapprove the proposal; and

(C) provide notification of that approval or disapproval to the person who submitted the proposal.

**(7) Project reporting**

Each grantee under this section shall provide periodic reports as required by the Administrator. Each report shall include all information required by the Administrator for evaluating the progress and success in meeting its stated goals, and impact of the grant activities on the marine debris problem.

(Pub. L. 109-449, § 3, Dec. 22, 2006, 120 Stat. 3333.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (c)(3), (6)(A), was in the original “this Act”, meaning Pub. L. 109-449, Dec. 22, 2006, 120 Stat. 3333, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1951 of this title and Tables.

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (c)(5)(B), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, which is classified principally to chapter 38 (§1801 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of Title 16 and Tables.

**§ 1953. Coast Guard program**

**(a) Strategy**

The Commandant of the Coast Guard, in consultation with the Interagency Committee, shall—

(1) take actions to reduce violations of and improve implementation of MARPOL Annex V and the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) with respect to the discard of plastics and other garbage from vessels;

(2) take actions to cost-effectively monitor and enforce compliance with MARPOL Annex V and the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.), including through cooperation and coordination with other Federal and State enforcement programs;

(3) take actions to improve compliance with requirements under MARPOL Annex V and

section 6 of the Act to Prevent Pollution from Ships (33 U.S.C. 1905) that all United States ports and terminals maintain and monitor the adequacy of receptacles for the disposal of plastics and other garbage, including through promoting voluntary government-industry partnerships;

(4) develop and implement a plan, in coordination with industry and recreational boaters, to improve ship-board waste management, including recordkeeping, and access to waste reception facilities for ship-board waste;

(5) take actions to improve international cooperation to reduce marine debris; and

(6) establish a voluntary reporting program for commercial vessel operators and recreational boaters to report incidents of damage to vessels and disruption of navigation caused by marine debris, and observed violations of laws and regulations relating to the disposal of plastics and other marine debris.

**(b) Report**

Not later than 180 days after December 22, 2006, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report evaluating the Coast Guard's progress in implementing subsection (a).

**(c) External evaluation and recommendations on Annex V**

**(1) In general**

The Commandant of the Coast Guard shall enter into an arrangement with the National Research Council under which the National Research Council shall submit, by not later than 18 months after December 22, 2006, and in consultation with the Commandant and the Interagency Committee, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a comprehensive report on the effectiveness of international and national measures to prevent and reduce marine debris and its impact.

**(2) Contents**

The report required under paragraph (1) shall include—

(A) an evaluation of international and domestic implementation of MARPOL Annex V and the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) and recommendations of cost-effective actions to improve implementation and compliance with such measures to reduce impacts of marine debris;

(B) recommendation of additional Federal or international actions, including changes to international and domestic law or regulations, needed to further reduce the impacts of marine debris; and

(C) evaluation of the role of floating fish aggregation devices in the generation of marine debris and existing legal mechanisms to reduce impacts of such debris, focusing on impacts in the Western Pacific and Central Pacific regions.

(Pub. L. 109-449, § 4, Dec. 22, 2006, 120 Stat. 3335.)

REFERENCES IN TEXT

The Act to Prevent Pollution from Ships, referred to in subsecs. (a)(1), (2) and (c)(2)(A), is Pub. L. 96-478, Oct. 21, 1980, 94 Stat. 2297, which is classified principally to chapter 33 (§1901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

**§ 1954. Interagency coordination**

**(a) Omitted**

**(b) Definition of marine debris**

The Administrator and the Commandant of the Coast Guard, in consultation with the Interagency Committee established under subsection (a),<sup>1</sup> shall jointly develop and promulgate through regulations a definition of the term “marine debris” for purposes of this chapter.

**(c) Reports**

**(1) Interagency report on marine debris impacts and strategies**

**(A) In general**

Not later than 12 months after December 22, 2006, the Interagency Committee, through the chairperson, shall complete and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives a report that—

- (i) identifies<sup>2</sup> sources of marine debris;
- (ii) the ecological and economic impact of marine debris;
- (iii) alternatives for reducing, mitigating, preventing, and controlling the harmful affects of marine debris;
- (iv) the social and economic costs and benefits of such alternatives; and
- (v) recommendations to reduce marine debris both domestically and internationally.

**(B) Recommendations**

The report shall provide strategies and recommendations on—

- (i) establishing priority areas for action to address leading problems relating to marine debris;
- (ii) developing strategies and approaches to prevent, reduce, remove, and dispose of marine debris, including through private-public partnerships;
- (iii) establishing effective and coordinated education and outreach activities; and
- (iv) ensuring Federal cooperation with, and assistance to, the coastal States (as that term is defined in section 1453 of title 16), Indian tribes, and local governments in the identification, determination of sources, prevention, reduction, management, mitigation, and control of marine debris and its adverse impacts.

<sup>1</sup> See Codification note below.

<sup>2</sup> So in original. The word “identifies” probably should follow “a report that”.