

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),¹ 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) identifies² 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.

¹ See Codification note below.

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

(2) Annual progress reports

Not later than 3 years after December 22, 2006, and biennially thereafter, the Interagency Committee, through the chairperson, shall 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 evaluates United States and international progress in meeting the purpose of this chapter. The report shall include—

(A) the status of implementation of any recommendations and strategies of the Interagency Committee and analysis of their effectiveness;

(B) a summary of the marine debris inventory to be maintained by the National Oceanic and Atmospheric Administration;

(C) a review of the National Oceanic and Atmospheric Administration program authorized by section 1952 of this title, including projects funded and accomplishments relating to reduction and prevention of marine debris;

(D) a review of Coast Guard programs and accomplishments relating to marine debris removal, including enforcement and compliance with MARPOL requirements; and

(E) estimated Federal and non-Federal funding provided for marine debris and recommendations for priority funding needs.

(Pub. L. 109-449, § 5, Dec. 22, 2006, 120 Stat. 3337.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (b) and (c)(2), 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.

CODIFICATION

Section is comprised of section 5 of Pub. L. 109-449. Subsec. (a) of section 5 of Pub. L. 109-449 amended section 1914 of this title.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 1955. Federal information clearinghouse

The Administrator, in coordination with the Interagency Committee, shall—

(1) maintain a Federal information clearinghouse on marine debris that will be available to researchers and other interested persons to improve marine debris source identification, data sharing, and monitoring efforts through collaborative research and open sharing of data; and

(2) take the necessary steps to ensure the confidentiality of such information (especially proprietary information), for any information required by the Administrator to be submitted by the fishing industry under this section.

(Pub. L. 109-449, § 6, Dec. 22, 2006, 120 Stat. 3338.)

§ 1956. Definitions

In this chapter:

(1) Administrator

The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) Interagency Committee

The term “Interagency Committee” means the Interagency Marine Debris Coordinating Committee established under section 1914 of this title.

(3) United States exclusive economic zone

The term “United States exclusive economic zone” means the zone established by Presidential Proclamation Numbered 5030, dated March 10, 1983, including the ocean waters of the areas referred to as “eastern special areas” in article 3(1) of the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990.

(4) MARPOL; Annex V; Convention

The terms “MARPOL”, “Annex V”, and “Convention” have the meaning given those terms under section 1901(a) of this title.

(5) Navigable waters

The term “navigable waters” means waters of the United States, including the territorial sea.

(6) Territorial sea

The term “territorial sea” means the waters of the United States referred to in Presidential Proclamation No. 5928, dated December 27, 1988.

(7) Program

The term “Program” means the Marine Debris Prevention and Removal Program established under section 1952 of this title.

(8) State

The term “State” means—

(A) any State of the United States that is impacted by marine debris within its seaward or Great Lakes boundaries;

(B) the District of Columbia;

(C) American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands; and

(D) any other territory or possession of the United States, or separate sovereign in free association with the United States, that is impacted by marine debris within its seaward boundaries.

(Pub. L. 109-449, § 7, Dec. 22, 2006, 120 Stat. 3338.)

REFERENCES IN TEXT

This chapter, referred to in text, 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.

Presidential Proclamation Numbered 5030, referred to in par. (3), is set out as a note under section 1453 of Title 16, Conservation.

Presidential Proclamation No. 5928, referred to in par. (6), is set out as a note under section 1331 of Title 43, Public Lands.

§ 1957. Relationship to Outer Continental Shelf Lands Act

Nothing in this chapter supersedes, or limits the authority of the Secretary of the Interior