

“(3) Activities under the pilot programs under paragraph (1) shall include the following:

“(A) Exploration of the feasibility and advisability of a variety of alternatives (developed for purposes of the pilot programs) for exporting obsolete vessels in the National Defense Reserve Fleet for purposes of the dismantlement and recycling of such vessels.

“(B) Response by the Maritime Administration to proposals from the international ship recycling industry for innovative and cost-effective disposal solutions for obsolete vessels in the National Defense Reserve Fleet, including an evaluation of the feasibility and advisability of such proposals.

“(C) Demonstration of the extent to which the cost-effective dismantlement or recycling of obsolete vessels in the National Defense Reserve Fleet can be accomplished abroad in [a] manner that appropriately addresses concerns regarding worker health and safety and the environment.

“(D) Opportunities to transfer abroad processes, methodologies, and technologies for ship dismantlement and recycling in order to support the pilot programs and to improve international practices and standards for ship dismantlement and recycling.

“(E) Exploration of cooperative efforts with foreign governments (under a global action program on ship recycling or other program) in order to foster economically and environmentally sound ship recycling abroad.

“(4) The Secretary of Transportation shall submit to Congress a report on the pilot programs under paragraph (1) through the existing ship disposal reporting requirements in section 3502 of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 [section 1 [div. C, title XXXV, §3502] of Pub. L. 106-398, which amended this section and enacted provisions set out below]. The report shall include a description of the activities under the pilot programs, and such recommendations for further legislative or administrative action as the Secretary considers appropriate.

“(d) CONSTRUCTION.—Nothing in this section shall be construed to establish a preference for the reefing or export of obsolete vessels in the National Defense Reserve Fleet over other alternatives available to the Secretary for the scrapping of such vessels under section 3502(d)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.”

SCRAPPING OF NATIONAL DEFENSE RESERVE FLEET VESSELS

Pub. L. 106-398, §1 [div. C, title XXXV, §3502(b)-(f)], Oct. 30, 2000, 114 Stat. 1654, 1654A-490 to 1654A-492, as amended by Pub. L. 109-163, div. C, title XXXV, §3505(a), Jan. 6, 2006, 119 Stat. 3551; Pub. L. 112-81, div. C, title XXXV, §3504, Dec. 31, 2011, 125 Stat. 1717; Pub. L. 112-239, div. C, title XXXV, §3502, Jan. 2, 2013, 126 Stat. 2222, provided that:

“(b) SELECTION OF SCRAPPING FACILITIES.—The Secretary of Transportation may scrap obsolete vessels pursuant to section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) through qualified scrapping facilities, using the most expeditious scrapping methodology and location practicable. Scrapping facilities shall be selected under that section on a best value basis consistent with the Federal Acquisition Regulation, as in effect on the date of contract award, without any predisposition toward foreign or domestic facilities taking into consideration, among other things, the ability of facilities to scrap vessels—

“(1) at least cost to the Government;

“(2) in a timely manner;

“(3) giving consideration to worker safety and the environment; and

“(4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment.

“(c) COMPREHENSIVE MANAGEMENT PLAN.—

“(1) REQUIREMENT TO DEVELOP PLAN.—The Secretary of Transportation shall prepare, publish, and submit to the Congress by not later than 180 days after the

date of the enactment of this Act [probably should be “this subsection”, Jan. 6, 2006] a comprehensive plan for management of the vessel disposal program of the Maritime Administration in accordance with the recommendations made in the Government Accountability Office in report number GAO-05-264, dated March 2005.

“(2) CONTENTS OF PLAN.—The plan shall—

“(A) include a strategy and implementation plan for disposal of obsolete National Defense Reserve Fleet vessels (including vessels added to the fleet after the enactment of this paragraph) in a timely manner, maximizing the use of all available disposal methods, including dismantling, use for artificial reefs, donation, and Navy training exercises;

“(B) identify and describe the funding and other resources necessary to implement the plan, and specific milestones for disposal of vessels under the plan;

“(C) establish performance measures to track progress toward achieving the goals of the program, including the expeditious disposal of ships commencing upon the date of the enactment of this paragraph;

“(D) develop a formal decisionmaking framework for the program; and

“(E) identify external factors that could impede successful implementation of the plan, and describe steps to be taken to mitigate the effects of such factors.

“(d) IMPLEMENTATION OF MANAGEMENT PLAN.—

“(1) REQUIREMENT TO IMPLEMENT.—Subject to the availability of appropriations, the Secretary shall implement the vessel disposal program of the Maritime Administration in accordance with—

“(A) the management plan submitted under subsection (c); and

“(B) the requirements set forth in paragraph (2).

“(2) UTILIZATION OF DOMESTIC SOURCES.—In the procurement of services under the vessel disposal program of the Maritime Administration, the Secretary shall—

“(A) use full and open competition; and

“(B) utilize domestic sources to the maximum extent practicable.

“(e) FAILURE TO SUBMIT PLAN.—

“(1) PRIVATE MANAGEMENT CONTRACT FOR DISPOSAL OF MARITIME ADMINISTRATION VESSELS.—The Secretary of Transportation, subject to the availability of appropriations, shall promptly award a contract using full and open competition to expeditiously implement all aspects of disposal of obsolete National Defense Reserve Fleet vessels.

“(2) APPLICATION.—This subsection shall apply beginning 180 days after the date of the enactment of this subsection [Jan. 6, 2006], unless the Secretary of Transportation has submitted to the Congress the comprehensive plan required under subsection (c).

“(f) BRIEFINGS.—The Maritime Administrator shall, upon request, provide briefings to the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Armed Services of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, on the progress made in recycling vessels, problems encountered with recycling vessels, issues relating to vessel recycling, and other issues relating to vessel recycling and disposal.”

§ 5406. Definitions

In this chapter:

(1) Committee

The term “Committee” means the Maritime Heritage Grants Advisory Committee established under section 5404 of this title.

(2) National Trust

The term “National Trust” means the National Trust for Historic Preservation created by section 468 of this title.

(3) Private nonprofit organization

The term “private nonprofit organization” means any person that is exempt from taxation under section 501(a) of title 26 and described in section 501(c)(3) of title 26.

(4) Program

The term “Program” means the National Maritime Heritage Grants Program established by section 5403(a) of this title.

(5) Secretary

The term “Secretary” means the Secretary of the Interior.

(6) State Historic Preservation Officer

The term “State Historic Preservation Officer” means a State Historic Preservation Officer appointed pursuant to paragraph (1)(A) of section 470a(b) of this title by the Governor of a State having a State Historic Preservation Program approved by the Secretary under that section.

(Pub. L. 103-451, § 7, Nov. 2, 1994, 108 Stat. 4777.)

§ 5407. Regulations

The Secretary, after consultation with the National Trust, the National Conference of State Historic Preservation Officers, and appropriate members of the maritime heritage community, shall promulgate appropriate guidelines, procedures, and regulations within 1 year after November 2, 1994, to carry out the chapter, including regulations establishing terms of office for the initial membership of the Committee, direct grant and subgrant priorities, the method of solicitation and review of direct grant and subgrant proposals, criteria for review of direct grant and subgrant proposals, administrative requirements, reporting and recordkeeping requirements, and any other requirements the Secretary considers appropriate.

(Pub. L. 103-451, § 8, Nov. 2, 1994, 108 Stat. 4778.)

§ 5408. Savings provision

The authorities contained in this chapter shall be in addition to, and shall not be construed to supercede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470-470x-6).

(Pub. L. 103-451, § 9, Nov. 2, 1994, 108 Stat. 4778.)

REFERENCES IN TEXT

The National Historic Preservation Act, referred to in text, is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. For complete classification of this Act to the Code, see section 470 of this title and Tables.

§ 5409. Designation of America’s National Maritime Museum**(a) In general**

America’s National Maritime Museum is comprised of those museums designated by law to be museums of America’s National Maritime Museum on the basis that they—

- (1) house a collection of maritime artifacts clearly representing the Nation’s maritime heritage; and

- (2) provide outreach programs to educate the public about the Nation’s maritime heritage.

(b) Initial designation of museums

The following museums (meeting the criteria specified in subsection (a) of this section) are hereby designated as museums of America’s National Maritime Museum:

- (1) The Mariners’ Museum, located at 100 Museum Drive, Newport News, Virginia.
- (2) The South Street Seaport Museum, located at 207 Front Street, New York, New York.

(c) Future designation of other museums not precluded

The designation of the museums referred to in subsection (b) of this section as museums of America’s National Maritime Museum does not preclude the designation by law after October 17, 1998, of any other museum that meets the criteria specified in subsection (a) of this section as a museum of America’s National Maritime Museum.

(d) Reference to museums

Any reference in any law, map, regulation, document, paper, or other record of the United States to a museum designated by law to be a museum of America’s National Maritime Museum shall be deemed to be a reference to that museum as a museum of America’s National Maritime Museum.

(Pub. L. 105-261, div. A, title X, §1068, Oct. 17, 1998, 112 Stat. 2135.)

CODIFICATION

Section enacted as part of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, and not as part of the National Maritime Heritage Act of 1994 which comprises this chapter.

CHAPTER 75—HIGH SEAS FISHING COMPLIANCE

Sec.	Purpose.
5501.	Purpose.
5502.	Definitions.
5503.	Permitting.
5504.	Responsibilities of Secretary.
5505.	Unlawful activities.
5506.	Enforcement provisions.
5507.	Civil penalties and permit sanctions.
5508.	Criminal offenses.
5509.	Forfeitures.

§ 5501. Purpose

It is the purpose of this chapter—

- (1) to implement the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations on November 24, 1993; and
- (2) to establish a system of permitting, reporting, and regulation for vessels of the United States fishing on the high seas.

(Pub. L. 104-43, title I, §102, Nov. 3, 1995, 109 Stat. 367.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, and was translated as reading “this title”,