

(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 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) 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.

(6) 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; Pub. L. 112–213, title VI, §604(a)–(c), Dec. 20, 2012, 126 Stat. 1576, 1577.)

AMENDMENTS

2012—Pub. L. 112–213, §604(a)(1), struck out “Prevention and Removal” before “Program” in section catchline.

Subsec. (a). Pub. L. 112–213, §604(a)(2), substituted “Program to identify, determine sources of, assess, prevent, reduce, and remove marine debris and address the” for “Prevention and Removal Program to reduce and prevent the occurrence and” and “marine debris on the economy of the United States, the marine environment, and” for “marine debris on the marine environment and”.

Subsec. (b). Pub. L. 112–213, §604(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) described components of the Marine Debris Prevention and Removal Program.

Subsec. (c)(1). Pub. L. 112–213, §604(c)(1), substituted “section 1951” for “section 1951(1)”.

Subsec. (c)(5) to (7). Pub. L. 112–213, §604(c)(2), (3), redesignated pars. (6) and (7) as (5) and (6), respectively, and struck out former par. (5) which required the Administrator to promulgate necessary guidelines for implementation of the grant program within 180 days after Dec. 22, 2006.

§ 1953. Coast Guard program

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 dam-

age 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.

(Pub. L. 109-449, § 4, Dec. 22, 2006, 120 Stat. 3335; Pub. L. 112-213, title VI, § 605, Dec. 20, 2012, 126 Stat. 1578.)

REFERENCES IN TEXT

The Act to Prevent Pollution from Ships, referred to in pars. (1) and (2), 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.

AMENDMENTS

2012—Pub. L. 112-213 struck out subsec. (a) designation and heading “Strategy” and struck out subsecs. (b) and (c) which required reports on the Coast Guard’s progress in implementing former subsec. (a) and on the effectiveness of international and national measures to prevent and reduce marine debris and its impact.

§ 1954. Coordination

(a) Establishment of Interagency Marine Debris Coordinating Committee

There is established an Interagency Marine Debris Coordinating Committee to coordinate a comprehensive program of marine debris research and activities among Federal agencies, in cooperation and coordination with non-governmental organizations, industry, universities, and research institutions, States, Indian tribes, and other nations, as appropriate.

(b) Membership

The Committee shall include a senior official from—

- (1) the National Oceanic and Atmospheric Administration, who shall serve as the Chairperson of the Committee;
- (2) the Environmental Protection Agency;
- (3) the United States Coast Guard;
- (4) the United States Navy; and
- (5) such other Federal agencies that have an interest in ocean issues or water pollution prevention and control as the Secretary of Commerce determines appropriate.

(c) Meetings

The Committee shall meet at least twice a year to provide a public, interagency forum to ensure the coordination of national and international research, monitoring, education, and regulatory actions addressing the persistent marine debris problem.

(d) Monitoring

The Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, in cooperation with the Administrator of the Environmental Protection Agency, shall utilize the marine debris data derived under title V of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 2801 et seq.) to assist—

- (1) the Committee in ensuring coordination of research, monitoring, education and regulatory actions; and
- (2) the United States Coast Guard in assessing the effectiveness of the Marine Plastic

Pollution Research and Control Act of 1987 and the Act to Prevent Pollution from Ships [33 U.S.C. 1901 et seq.] in ensuring compliance under section 2201 of the Marine Plastic Pollution Research and Control Act of 1987 [33 U.S.C. 1913].

(e) Biennial progress reports

Biennially, the 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 Natural 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—

- (1) the status of implementation of any recommendations and strategies of the Committee and analysis of their effectiveness;
- (2) a summary of the marine debris inventory to be maintained by the National Oceanic and Atmospheric Administration;
- (3) 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;
- (4) a review of Coast Guard programs and accomplishments relating to marine debris removal, including enforcement and compliance with MARPOL requirements; and
- (5) estimated Federal and non-Federal funding provided for marine debris and recommendations for priority funding needs.

(Pub. L. 109-449, § 5, formerly Pub. L. 100-220, title II, § 2203, Dec. 29, 1987, 101 Stat. 1466; Pub. L. 104-324, title VIII, § 802(b), Oct. 19, 1996, 110 Stat. 3944; Pub. L. 109-449, § 5(a), Dec. 22, 2006, 120 Stat. 3337; renumbered Pub. L. 109-449, § 5, and amended Pub. L. 112-213, title VI, § 606(a)(1), (2), (b), Dec. 20, 2012, 126 Stat. 1578.)

REFERENCES IN TEXT

The Marine Protection, Research, and Sanctuaries Act of 1972, referred to in subsec. (d), is Pub. L. 92-532, Oct. 23, 1972, 86 Stat. 1052. Title V of the Act, popularly known as the National Coastal Monitoring Act, is classified generally to chapter 41 (§2801 et seq.) of this title. For complete classification of title V to the Code, see Short Title note set out under section 2801 of this title and Tables.

The Marine Plastic Pollution Research and Control Act of 1987, referred to in subsec. (d)(2), is Pub. L. 100-220, title II, Dec. 29, 1987, 101 Stat. 1460. For complete classification of this Act to the Code, see Short Title of 1987 Amendment note set out under section 1901 of this title and Tables.

The Act to Prevent Pollution from Ships, referred to in subsec. (d)(2), 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.

CODIFICATION

Former section 1954(c)(2) of this title, which was transferred and redesignated as subsec. (e) of this section by Pub. L. 112-213, title VI, §606(b)(1), Dec. 20, 2012, 126 Stat. 1578, was based on Pub. L. 109-449, §5(c)(2), Dec. 22, 2006, 120 Stat. 3338.

Section was formerly section 2203 of Pub. L. 100-220 and was classified to section 1914 of this title.