

§ 80506. Delegation of authority

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may delegate to any person, including a public or private agency or nonprofit organization, authority to grant initial approval for containers and designs and to attach safety approval plates.

(b) REGULATIONS.—Before making a delegation under this section, the Secretary shall prescribe regulations establishing—

(1) criteria to be followed in selecting a person to whom authority is to be delegated;

(2) a detailed description of the duties and powers to be carried out by the person to whom authority is delegated, including the records the person shall keep; and

(3) the review the Secretary will conduct to decide whether the person is carrying out the delegated duties and powers properly.

(c) INSPECTION OF RECORDS.—A person delegated authority under this section shall make available to the Secretary for inspection, on request, records the person is required to keep.

(d) PENALTIES AND ORDERS.—A person delegated authority under this section may not—

(1) assess or collect, or attempt to assess or collect, a penalty for violation of the Convention, this chapter, or an order issued by the Secretary under this chapter; or

(2) issue or attempt to issue a detention or other order.

(e) PUBLICATION.—The Secretary shall publish in the Federal Register or other appropriate publication—

(1) the name and address of each person to whom authority is delegated;

(2) the duties and powers delegated; and

(3) the period of the delegation.

(f) REVOCATION.—The Secretary may revoke a delegation of authority under this section at any time.

(Pub. L. 109–304, §11, Oct. 6, 2006, 120 Stat. 1696.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80506	46 App.:1503(c)(2), (d).	Pub. L. 95–208, §4(c)(2), (d), Dec. 13, 1977, 91 Stat. 1477.

Subsections (a) and (f) are substituted for 46 App. U.S.C. 1503(c)(2) and (d) (1st sentence) to improve the organization of the section.

In subsection (b)(1), the words “person to whom authority is to be delegated” are substituted for “person, public or private agency, or nonprofit organization as a recipient of delegated functions under such subsection” to eliminate unnecessary words.

Subsection (b)(2) is substituted for “the manner in which such recipient shall carry out such delegated functions, including the records such recipient must keep, and a detailed description of the exact functions such recipient may exercise” to eliminate unnecessary words.

Subsections (c)–(e) are substituted for 46 App. U.S.C. 1503(d) (last par.) to improve the organization of the section and to eliminate unnecessary words.

§ 80507. Employee protection

(a) PROHIBITION.—A person may not discharge or discriminate against an employee because the employee has reported the existence of an un-

safe container or a violation of this chapter or a regulation prescribed under this chapter.

(b) COMPLAINTS.—An employee alleging to have been discharged or discriminated against in violation of subsection (a) may file a complaint with the Secretary of Labor. The complaint must be filed within 60 days after the violation.

(c) ENFORCEMENT.—The Secretary of Labor may investigate the complaint. If the Secretary of Labor finds there has been a violation, the Secretary of Labor may bring a civil action in an appropriate district court of the United States. The court has jurisdiction to restrain violations of subsection (a) and order appropriate relief, including reinstatement of the employee to the employee’s former position with back pay.

(d) NOTICE TO COMPLAINANT.—Within 30 days after receiving a complaint under this section, the Secretary of Labor shall notify the complainant of the intended action on the complaint.

(Pub. L. 109–304, §11, Oct. 6, 2006, 120 Stat. 1697.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80507	46 App.:1506.	Pub. L. 95–208, §7, Dec. 13, 1977, 91 Stat. 1479.

In subsection (a), the words “in any manner” and “to the Secretary or his agents” are omitted as unnecessary. The words “or a regulation prescribed under this chapter” are added for consistency.

§ 80508. Amendments to Convention

(a) PROPOSALS BY UNITED STATES.—The Secretary of State, with the concurrence of the Secretary of the department in which the Coast Guard is operating, may propose amendments to the Convention or request a conference for amending the Convention as provided in article IX of the Convention.

(b) PROPOSALS BY OTHER COUNTRIES.—An amendment communicated to the United States under article IX(2) of the Convention may be accepted for the United States by the President, with the advice and consent of the Senate. The President may declare that the United States does not accept an amendment.

(c) AMENDMENTS TO ANNEXES.—

(1) IN GENERAL.—The Secretary of State, with the concurrence of the Secretary of the department in which the Coast Guard is operating—

(A) may propose amendments to the annexes to the Convention;

(B) may propose a conference for amending annexes to the Convention; and

(C) shall consider and act on amendments to the annexes to the Convention adopted by the Maritime Safety Committee of the International Maritime Organization and communicated to the United States under article X(2) of the Convention.

(2) ACTION FOLLOWING APPROVAL OR OBJECTION.—If a proposed amendment to an annex is approved by the United States, the amendment shall enter into force as provided in article X of the Convention. If a proposed amend-