

attorney and expert witness fees) to any party including the Federal Government.

(e) Federal intervention

In any action brought under this section, if the Secretary or Attorney General are not parties of record, the United States, through the Attorney General, shall have the right to intervene.

(Pub. L. 96-478, §11, Oct. 21, 1980, 94 Stat. 2302; Pub. L. 110-280, §12, July 21, 2008, 122 Stat. 2615.)

AMENDMENTS

2008—Subsec. (a)(3), (4). Pub. L. 110-280, §12(1), added par. (3) and redesignated former par. (3) as (4).

Subsec. (b)(1). Pub. L. 110-280, §12(2), substituted “concerned or the Administrator,” for “concerned.”

Subsec. (b)(2). Pub. L. 110-280, §12(3), inserted “or the Administrator” after “Secretary”.

§ 1911. Effect on other laws

Authorities, requirements, and remedies of this chapter supplement and neither amend nor repeal any other authorities, requirements, or remedies conferred by any other provision of law. Nothing in this chapter shall limit, deny, amend, modify, or repeal any other authority, requirement, or remedy available to the United States or any other person, except as expressly provided in this chapter.

(Pub. L. 96-478, §15, Oct. 21, 1980, 94 Stat. 2303; Pub. L. 110-280, §11, July 21, 2008, 122 Stat. 2615.)

AMENDMENTS

2008—Pub. L. 110-280 amended section generally. Prior to amendment, section read as follows: “Nothing in this chapter shall be construed as limiting, diminishing, or otherwise restricting any of the authority of the Secretary under the Port and Tanker Safety Act of 1978.”

§ 1912. International law

Any action taken under this chapter shall be taken in accordance with international law.

(Pub. L. 96-478, §17, as added Pub. L. 100-220, title II, §2108, Dec. 29, 1987, 101 Stat. 1464.)

§ 1913. Compliance reports

(a) In general

Within 1 year after the effective date of this section, and triennially thereafter, the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Agriculture and the Secretary of Commerce, shall report to the Congress regarding compliance with Annex V to the International Convention for the Prevention of Pollution from Ships, 1973, in United States waters and, not later than 1 year after October 19, 1996, and annually thereafter, shall publish in the Federal Register a list of the enforcement actions taken against any domestic or foreign ship (including any commercial or recreational ship) pursuant to the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.).

(b) Report on inability to comply

Within 3 years after the effective date of this section, the head of each Federal agency that operates or contracts for the operation of any

ship referred to in section 3(b)(1)(A) of the Act to Prevent Pollution from Ships [33 U.S.C. 1902(b)(1)(A)] that may not be able to comply with the requirements of that section shall report to the Congress describing—

(1) the technical and operational impediments to achieving that compliance;

(2) an alternative schedule for achieving that compliance as rapidly as is technologically feasible;

(3) the ships operated or contracted for operation by the agency for which full compliance with section 3(b)(2)(A) [33 U.S.C. 1902(b)(2)(A)] is not technologically feasible; and

(4) any other information which the agency head considers relevant and appropriate.

(c) Congressional action

Upon receipt of the compliance report under subsection (b), the Congress shall modify the applicability of Annex V to ships referred to in section 3(b)(1)(A) of the Act to Prevent Pollution from Ships [33 U.S.C. 1902(b)(1)(A)], as may be appropriate with respect to the requirements of Annex V to the Convention.

(Pub. L. 100-220, title II, §2201, Dec. 29, 1987, 101 Stat. 1464; Pub. L. 104-66, title I, §1121(c), Dec. 21, 1995, 109 Stat. 724; Pub. L. 104-324, title VIII, §802(a), Oct. 19, 1996, 110 Stat. 3944.)

REFERENCES IN TEXT

For effective date of this section, referred to in subsecs. (a) and (b), see section 2002 of Pub. L. 100-220, set out as an Effective Date of 1987 Amendment note under section 1901 of this title.

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

CODIFICATION

Section was formerly set out as a note under section 1902 of this title.

Section was enacted as part of the Marine Plastic Pollution Research and Control Act of 1987 and as part of the United States-Japan Fishery Agreement Approval Act of 1987, and not as part of the Act to Prevent Pollution from Ships which comprises this chapter.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-324 struck out “for a period of 6 years” after “triennially thereafter” and inserted “and, not later than 1 year after October 19, 1996, and annually thereafter, shall publish in the Federal Register a list of the enforcement actions taken against any domestic or foreign ship (including any commercial or recreational ship) pursuant to the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.)” before period at end.

1995—Subsec. (a). Pub. L. 104-66 substituted “triennially” for “biennially”.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.