

2010, 124 Stat. 3023, which enacted this chapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of title X to the Code, see Tables.

§ 3855. Warnings, detentions, dismissals, exclusion

(a) In general

If a vessel is detected to be in violation of the Convention, this chapter, or any regulation prescribed under this chapter, the Secretary may warn, detain, dismiss, or exclude the vessel from any port or offshore terminal under the jurisdiction of the United States.

(b) Notifications

If action is taken under subsection (a), the Secretary, in consultation with the Secretary of State, shall make the notifications required by the Convention.

(Pub. L. 111–281, title X, §1045, Oct. 15, 2010, 124 Stat. 3031.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title X of Pub. L. 111–281, Oct. 15, 2010, 124 Stat. 3023, which enacted this chapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of title X to the Code, see Tables.

§ 3856. Referrals for appropriate action by foreign country

Notwithstanding sections 3851, 3852, 3853, and 3855 of this title, if a violation of the Convention is committed by a vessel registered in or of the nationality of a country that is a party to the Convention, or by a vessel operated under the authority of a country that is a party to the Convention, the Secretary, acting in coordination with the Secretary of State, may refer the matter to the government of the country of the vessel’s registry or nationality, or under whose authority the vessel is operating, for appropriate action, rather than taking the actions otherwise required or authorized by this subchapter.

(Pub. L. 111–281, title X, §1046, Oct. 15, 2010, 124 Stat. 3031.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this subtitle”, meaning subtitle D (§§1041–1048) of title X of Pub. L. 111–281, Oct. 15, 2010, 124 Stat. 3029, which enacted this subchapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of subtitle D to the Code, see Tables.

§ 3857. Remedies not affected

(a) In general

Nothing in this chapter limits, denies, amends, modifies, or repeals any other remedy available to the United States.

(b) Relationship to State and local law

Nothing in this chapter limits, denies, amends, modifies, or repeals any rights under existing law, of any State, territory, or possession of the United States, or any political subdivision thereof, to regulate any antifouling system. Compliance with the requirements of a State, territory, or possession of the United

States, or political subdivision thereof related to antifouling paint or any other antifouling system does not relieve any person of the obligation to comply with this chapter.

(Pub. L. 111–281, title X, §1047, Oct. 15, 2010, 124 Stat. 3031.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title X of Pub. L. 111–281, Oct. 15, 2010, 124 Stat. 3023, which enacted this chapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of title X to the Code, see Tables.

CHAPTER 52—WATER INFRASTRUCTURE FINANCE AND INNOVATION

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§ 3901. Definitions

In this chapter:

(1) Administrator

The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) Community water system

The term “community water system” has the meaning given the term in section 300f of title 42.

(3) Federal credit instrument

The term “Federal credit instrument” means a secured loan or loan guarantee authorized to be made available under this chapter with respect to a project.

(4) Investment-grade rating

The term “investment-grade rating” means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

(5) Lender

(A) In general

The term “lender” means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or a successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)).

(B) Inclusions

The term “lender” includes—

- (i) a qualified retirement plan (as defined in section 4974(c) of title 26) that is a qualified institutional buyer; and
- (ii) a governmental plan (as defined in section 414(d) of title 26) that is a qualified institutional buyer.