

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1171

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IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

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## AN ACT

To reauthorize and amend the Marine Debris Research,  
Prevention, and Reduction Act.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Marine Debris Act  
3 Amendments of 2012”.

4 **SEC. 2. REFERENCES.**

5 Except as otherwise expressly provided, whenever in  
6 this Act an amendment is expressed as an amendment to  
7 a section or other provision, the reference shall be consid-  
8 ered to be made to a section or other provision of the Ma-  
9 rine Debris Research, Prevention, and Reduction Act (33  
10 U.S.C. 1951 et seq.), as in effect immediately before the  
11 enactment of this Act.

12 **SEC. 3. SHORT TITLE AMENDMENT.**

13 Section 1 (33 U.S.C. 1951 note) is amended by strik-  
14 ing “Research, Prevention, and Reduction”.

15 **SEC. 4. PURPOSE.**

16 Section 2 (33 U.S.C. 1951) is amended to read as  
17 follows:

18 **“SEC. 2. PURPOSE.**

19 “The purpose of this Act is to address the adverse  
20 impacts of marine debris on the United States economy,  
21 the marine environment, and navigation safety through  
22 identification, determination of sources, assessment, pre-  
23 vention, reduction, and removal of marine debris.”.

24 **SEC. 5. NOAA MARINE DEBRIS PROGRAM.**

25 (a) NAME OF PROGRAM.—

1           (1) IN GENERAL.—Section 3 (33 U.S.C. 1952)  
2 is amended—

3           (A) in the section heading by striking  
4           “**PREVENTION AND REMOVAL**”; and

5           (B) in subsection (a)—

6           (i) by striking “Prevention and Re-  
7           moval Program to reduce and prevent”  
8           and inserting “Program to identify, deter-  
9           mine sources of, assess, prevent, reduce,  
10          and remove”;

11          (ii) by inserting “the economy of the  
12          United States,” after “marine debris on”;  
13          and

14          (iii) by inserting a comma after “envi-  
15          ronment”.

16          (2) CONFORMING AMENDMENT.—Paragraph (7)  
17          of section 7 (33 U.S.C. 1956) is amended by strik-  
18          ing “Prevention and Removal”.

19          (b) PROGRAM COMPONENTS.—Section 3(b) (33  
20 U.S.C. 1952(b)) is amended to read as follows:

21          “(b) PROGRAM COMPONENTS.—The Administrator,  
22          acting through the Program and subject to the availability  
23          of appropriations, shall—

24                  “(1) identify, determine sources of, assess, pre-  
25          vent, reduce, and remove marine debris, with a focus

1 on marine debris posing a threat to living marine re-  
2 sources and navigation safety;

3 “(2) provide national and regional coordination  
4 to assist States, Indian tribes, and regional organi-  
5 zations in identification, determination of sources,  
6 assessment, prevention, reduction, and removal of  
7 marine debris;

8 “(3) undertake efforts to reduce adverse im-  
9 pacts of lost and discarded fishing gear on living  
10 marine resources and navigation safety, including—

11 “(A) research and development of alter-  
12 natives to gear posing threats to the marine en-  
13 vironment, and methods for marking gear used  
14 in specific fisheries to enhance the tracking, re-  
15 covery, and identification of lost and discarded  
16 gear; and

17 “(B) development of effective nonregula-  
18 tory measures and incentives to cooperatively  
19 reduce the volume of lost and discarded fishing  
20 gear and to aid in its recovery; and

21 “(4) undertake outreach and education of the  
22 public and other stakeholders on sources of marine  
23 debris, threats associated with marine debris, and  
24 approaches to identify, determine sources of, assess,  
25 prevent, reduce, and remove marine debris and its

1 adverse impacts on the United States economy, the  
2 marine environment, and navigational safety, includ-  
3 ing outreach and education activities through public-  
4 private initiatives.”.

5 (c) REPEAL.—Section 2204 of the Marine Plastic  
6 Pollution Research and Control Act of 1987 and the item  
7 relating to that section in the table of contents contained  
8 in section 2 of the United States-Japan Fishery Agree-  
9 ment Approval Act of 1987 (33 U.S.C. 1915) are repealed.

10 (d) GRANT CRITERIA AND GUIDELINES.—Section  
11 3(c) (33 U.S.C. 1952(c)) is amended—

12 (1) in paragraph (1), by striking “section 2(1)”  
13 and inserting “section 2”;

14 (2) by repealing paragraph (5); and

15 (3) by redesignating paragraphs (6) and (7) as  
16 paragraphs (5) and (6).

17 **SEC. 6. REPEAL OF OBSOLETE PROVISIONS.**

18 Section 4 (33 U.S.C. 1953) is amended—

19 (1) by striking “(a) STRATEGY.—”; and

20 (2) by repealing subsections (b) and (c).

21 **SEC. 7. AMENDMENTS TO DEFINITIONS.**

22 (a) INTERAGENCY MARINE DEBRIS COORDINATING  
23 COMMITTEE.—

24 (1) IN GENERAL.—Except as provided in sub-  
25 section (b), section 2203 of the Marine Plastic Pol-

1 lution Research and Control Act of 1987 (33 U.S.C.  
2 1914) is redesignated and moved to replace and ap-  
3 pear as section 5 of the Marine Debris Research,  
4 Prevention, and Reduction Act (33 U.S.C. 1954).

5 (2) CLERICAL AMENDMENT.—The item relating  
6 to section 2203 in the table of contents contained in  
7 section 2 of the United States-Japan Fishery Agree-  
8 ment Approval Act of 1987 is repealed.

9 (b) BIENNIAL PROGRESS REPORTS.—Section 5(c)(2)  
10 (33 U.S.C. 1954(c)(2)), as in effect immediately before  
11 the enactment of this Act—

12 (1) is redesignated as subsection (e) of section  
13 5, as redesignated and moved by the amendment  
14 made by subsection (a) of this section; and

15 (2) is amended—

16 (A) by striking “ANNUAL PROGRESS RE-  
17 PORTS.—” and all that follows through “there-  
18 after” and inserting “BIENNIAL PROGRESS RE-  
19 PORTS.—Bienially”;

20 (B) by inserting “Natural” before “Re-  
21 sources”;

22 (C) by redesignating subparagraphs (A)  
23 through (E) as paragraphs (1) through (5) of  
24 such subsection; and

1 (D) by moving such subsection 2 ems to  
2 the left.

3 **SEC. 8. CONFIDENTIALITY OF SUBMITTED INFORMATION.**

4 Section 6(2) (33 U.S.C. 1955(2)) is amended by  
5 striking “by the fishing industry”.

6 **SEC. 9. MARINE DEBRIS DEFINITION.**

7 Section 7 (33 U.S.C. 1956) is amended—

8 (1) by redesignating paragraph (3) as para-  
9 graph (9), and moving such paragraph to appear  
10 after paragraph (8); and

11 (2) by inserting after paragraph (2) the fol-  
12 lowing:

13 “(3) MARINE DEBRIS.—The term ‘marine de-  
14 bris’ means any persistent solid material that is  
15 manufactured or processed and directly or indirectly,  
16 and intentionally or unintentionally, disposed of or  
17 abandoned into the marine environment or the Great  
18 Lakes.”.

19 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 9 (33 U.S.C. 1958) is amended—

21 (1) by striking “are” and inserting “is”;

22 (2) by striking “2006 through 2010” and all  
23 that follows through “(1)” and inserting “through  
24 fiscal year 2015”;

1           (3) in paragraph (1), by striking  
2           “\$10,000,000” and inserting “\$4,900,000”; and  
3           (4) by striking “; and” and all that follows  
4           through the end of paragraph (2) and inserting a  
5           period.

Passed the House of Representatives August 1,  
2012.

Attest:

KAREN L. HAAS,  
*Clerk.*