

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; Pub. L. 115-265, title I, § 101, Oct. 11, 2018, 132 Stat. 3742.)

Editorial Notes

AMENDMENTS

2018—Subsec. (b)(6) to (8). Pub. L. 115-265, § 101(1), added pars. (6) to (8).

Subsecs. (c), (d). Pub. L. 115-265, § 101(2), (3), added subsec. (c) and redesignated former subsec. (c) as (d).

Subsec. (d)(2)(A). Pub. L. 115-265, § 101(4)(A), substituted “subparagraphs (B) and (C)” for “subparagraph (B)”.

Subsec. (d)(2)(C). Pub. L. 115-265, § 101(4)(B), added subpar. (C).

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 damage 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.)

Editorial Notes

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;
- (5) the Department of State;
- (6) the Department of the Interior; and
- (7) 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; Pub. L. 115-265, title I, § 104, Oct. 11, 2018, 132 Stat. 3744.)

Editorial Notes

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.

PRIOR PROVISIONS

A prior section 5 of Pub. L. 109-449, Dec. 22, 2006, 120 Stat. 3337, which related to interagency coordination to address problems of marine debris, was classified to this section prior to repeal by Pub. L. 112-213, title VI, § 606(a)(1), Dec. 20, 2012, 126 Stat. 1578. Subsec. (a) of such prior section 5 of Pub. L. 109-449 amended section 2203 of Pub. L. 100-220, which was renumbered as a new section 5 of Pub. L. 109-449 by Pub. L. 112-213 and was transferred to this section.

AMENDMENTS

2018—Subsec. (b)(5) to (7). Pub. L. 115-265 added pars. (5) and (6) and redesignated former par. (5) as (7).

2012—Subsec. (d)(2). Pub. L. 112-213, § 606(a)(2), substituted “the Marine Plastic Pollution Research and Control Act of 1987” for “this Act” and inserted “of the Marine Plastic Pollution Research and Control Act of 1987” after “section 2201”.

Subsec. (e). Pub. L. 112-213, § 606(b)(2), in heading, substituted “Biennial progress reports” for “Annual progress reports” and in text, substituted “Biennially” for “Not later than 3 years after December 22, 2006, and biennially thereafter” and “Chairperson” for “chairperson”, inserted “Natural” before “Resources”, and struck out “Interagency” before “Committee, through” and before “Committee and”, redesignated subpars. (A) to (E) as pars. (1) to (5), respectively, and realigned margins.

Pub. L. 112-213, § 606(b)(1), transferred subsec. (c)(2) of former section 1954 of this title and redesignated it as subsec. (e) of this section. See Codification note above.

2006—Subsec. (a). Pub. L. 109-449, § 5(a)(1), added subsec. (a) and struck out former subsec. (a). Text read as follows: “The Secretary of Commerce shall establish a Marine Debris Coordinating Committee.”

Subsec. (c). Pub. L. 109-449, §5(a)(2), inserted “public, interagency” before “forum”.

1996—Pub. L. 104-324 amended section generally. Prior to amendment, section read as follows: “Not later than September 30, 1988, the Secretary of Commerce shall submit to the Congress a report on the effects of plastic materials on the marine environment. The report shall—

“(1) identify and quantify the harmful effects of plastic materials on the marine environment;

“(2) assess the specific effects of plastic materials on living marine resources in the marine environment;

“(3) identify the types and classes of plastic materials that pose the greatest potential hazard to living marine resources;

“(4) analyze, in consultation with the Director of the National Bureau of Standards, plastic materials which are claimed to be capable of reduction to environmentally benign submits under the action of normal environmental forces (including biological decomposition, photodegradation, and hydrolysis); and

“(5) recommend legislation which is necessary to prohibit, tax, or regulate sources of plastic materials that enter the marine environment.”

Statutory Notes and Related Subsidiaries

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.

§ 1955. Federal information clearinghouse

The Administrator, in coordination with the Interagency Committee, shall—

(1) maintain a Federal information clearinghouse on marine debris that will be available to researchers and other interested persons to improve marine debris source identification, data sharing, and monitoring efforts through collaborative research and open sharing of data; and

(2) take the necessary steps to ensure the confidentiality of such information (especially proprietary information), for any information required by the Administrator to be submitted under this section.

(Pub. L. 109-449, §6, Dec. 22, 2006, 120 Stat. 3338; Pub. L. 112-213, title VI, §607, Dec. 20, 2012, 126 Stat. 1578.)

Editorial Notes

AMENDMENTS

2012—Par. (2). Pub. L. 112-213 struck out “by the fishing industry” after “to be submitted”.

§ 1956. Definitions

In this chapter:

(1) Administrator

The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) Interagency Committee

The term “Interagency Committee” means the Interagency Marine Debris Coordinating

Committee established under section 1954 of this title.

(3) Marine debris

The term “marine debris” means any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment or the Great Lakes.

(4) MARPOL; Annex V; Convention

The terms “MARPOL”, “Annex V”, and “Convention” have the meaning given those terms under section 1901(a) of this title.

(5) Program

The term “Program” means the Marine Debris Program established under section 1952 of this title.

(6) Severe marine debris event

The term “severe marine debris event” means atypically large amounts of marine debris caused by a natural disaster, including a tsunami, flood, landslide, or hurricane, or other source.

(7) State

The term “State” means—

(A) any State of the United States that is impacted by marine debris within its seaward or Great Lakes boundaries;

(B) the District of Columbia;

(C) American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands; and

(D) any other territory or possession of the United States, or separate sovereign in free association with the United States, that is impacted by marine debris within its seaward boundaries.

(Pub. L. 109-449, §7, Dec. 22, 2006, 120 Stat. 3338; Pub. L. 112-213, title VI, §608, Dec. 20, 2012, 126 Stat. 1578.)

Editorial Notes

AMENDMENTS

2012—Par. (2). Pub. L. 112-213, §608(1), substituted “section 1954 of this title” for “section 1914 of this title”.

Par. (3). Pub. L. 112-213, §608(2), added par. (3) and struck out former par. (3). Prior to amendment, text read as follows: “The term ‘United States exclusive economic zone’ means the zone established by Presidential Proclamation Numbered 5030, dated March 10, 1983, including the ocean waters of the areas referred to as ‘eastern special areas’ in article 3(1) of the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990.”

Par. (5). Pub. L. 112-213, §608(3)–(5), redesignated par. (7) as (5), struck out “Prevention and Removal” before “Program”, and struck out former par. (5). Prior to amendment, text of par. (5) read as follows: “The term ‘navigable waters’ means waters of the United States, including the territorial sea.”

Par. (6). Pub. L. 112-213, §608(6), added par. (6) and struck out former par. (6). Prior to amendment, text read as follows: “The term ‘territorial sea’ means the waters of the United States referred to in Presidential Proclamation No. 5928, dated December 27, 1988.”

Pars. (7), (8). Pub. L. 112-213, §608(7), redesignated par. (8) as (7). Former par. (7) redesignated (5).