

ties 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.)

§ 1911. Authority of Secretary under port and tanker safety program unaffected

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.

(Pub. L. 96-478, §15, Oct. 21, 1980, 94 Stat. 2303.)

REFERENCES IN TEXT

The Port and Tanker Safety Act of 1978, referred to in text, is Pub. L. 95-474, Oct. 17, 1978, 92 Stat. 1471, which enacted sections 1225, 1228 to 1231, and 1232 of this title, amended sections 1221 to 1224, 1226, and 1227 of this title, and sections 214 and 391a of former Title 46, Shipping, and enacted provisions set out as notes under sections 1221 and 1224 of this title and section 391a of Title 46. For complete classification of this Act to the Code, see Short Title note set out under section 1221 of this title and Tables.

§ 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) of this section, 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 subsections (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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1914 of this title.

§ 1914. Coordination

(a) Establishment of Marine Debris Coordinating Committee

The Secretary of Commerce shall establish a Marine Debris Coordinating Committee.

(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; and
- (5) 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 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 this Act and the Act to Prevent Pollution from Ships [33 U.S.C. 1901 et seq.] in ensuring compliance under section 1913 of this title.

(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.)

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, as amended. 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.

This Act, referred to in subsec. (d)(2), probably should be “this title” meaning title II of Pub. L. 100-220, Dec. 29, 1987, 101 Stat. 1460, as amended, known as the Marine Plastic Pollution Research and Control Act of 1987. For complete classification of title II 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, 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 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—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.”

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.

§ 1915. Plastic pollution public education program

(a) Outreach program

(1) In general

Not later than April 1, 1988, the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Transportation, shall jointly commence and thereafter conduct a public outreach program to educate the public (including recreational boaters, fishermen, and other users of the marine environment) regarding—

- (A) the harmful effects of plastic pollution;
- (B) the need to reduce such pollution;
- (C) the need to recycle plastic materials;
- (D) the need to reduce the quantity of plastic debris in the marine environment; and
- (E) the requirements under this Act and the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) with respect to ships and ports, and the authority of citizens to report violations of this Act and the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.).

(2) Authorized activities

(A) Public outreach program

A public outreach program under paragraph (1) may include—

- (i) developing and implementing a voluntary boaters' pledge program;
- (ii) workshops with interested groups;
- (iii) public service announcements;
- (iv) distribution of leaflets and posters; and
- (v) any other means appropriate to educating the public.

(B) Grants and cooperative agreements

To carry out this section, the Secretary of the department in which the Coast Guard is operating, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency are authorized to award grants, enter into cooperative agreements