

Union Calendar No. 432

112TH CONGRESS
2^D SESSION

H. R. 1171

[Report No. 112-584, Parts I and II]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2011

Mr. FARR (for himself, Mr. YOUNG of Alaska, Mr. ROHRBACHER, Ms. BORDALLO, Mrs. CHRISTENSEN, and Mr. PIERLUISI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 9, 2012

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

JULY 17, 2012

Additional sponsors: Mr. COHEN, Mr. MORAN, Mrs. CAPPS, Mr. HONDA, Ms. ESHOO, Mr. HINCHEY, Ms. PINGREE of Maine, Mr. CARSON of Indiana, Ms. HIRONO, Mr. WITTMAN, Ms. LEE of California, Mr. SABLAN, Mr. RUNYAN, Mr. HOLT, Mr. DEUTCH, Ms. HANABUSA, Mr. REICHERT, Ms. WOOLSEY, Mr. MICHAUD, Mr. INSLEE, Mr. LOBIONDO, Mr. WAXMAN, Mr. BILBRAY, Mr. STARK, Mr. FALEOMAVAEGA, Mr. KUCINICH, Ms. SCHAKOWSKY, Ms. ZOE LOFGREN of California, Mr. BERMAN, Mr. SCHIFF, Mr. BECERRA, Mrs. NAPOLITANO, Mr. THOMPSON of California, Mr. MCNERNEY, and Ms. BONAMICI

JULY 17, 2012

Reported from the Committee on Transportation and Infrastructure with an
amendment

[Strike out all after the enacting clause and insert the part printed in boldface roman]

[For text of introduced bill, see copy of bill as introduced on March 17, 2011]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Marine Debris Act*
5 *Amendments of 2012”.*

6 **SEC. 2. REFERENCES.**

7 *Except as otherwise expressly provided, whenever in*
8 *this Act an amendment is expressed as an amendment to*
9 *a section or other provision, the reference shall be considered*
10 *to be made to a section or other provision of the Marine*
11 *Debris Research, Prevention, and Reduction Act (33 U.S.C.*
12 *1951 et seq.), as in effect immediately before the enactment*
13 *of this Act.*

14 **SEC. 3. SHORT TITLE AMENDMENT.**

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

17 **SEC. 4. PURPOSE.**

18 *Section 2 (33 U.S.C. 1951) is amended to read as fol-*
19 *lows:*

20 **“SEC. 2. PURPOSE.**

21 *“The purpose of this Act is to address the adverse im-*
22 *pacts of marine debris on the United States economy, the*
23 *marine environment, and navigation safety through identi-*
24 *fication, determination of sources, assessment, prevention,*
25 *reduction, and removal of marine debris.”.*

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

2 (a) *NAME OF PROGRAM.*—

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

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

7 (B) *in subsection (a)*—

8 (i) *by striking “Prevention and Re-*
9 *moval Program to reduce and prevent” and*
10 *inserting “Program to identify, determine*
11 *sources of, assess, prevent, reduce, and re-*
12 *move”*; and

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

16 (iii) *by inserting a comma after “envi-*
17 *ronment”*.

18 (2) *CONFORMING AMENDMENT.*—Paragraph (7)
19 *of section 7 (33 U.S.C. 1956) is amended by striking*
20 *“Prevention and Removal”*.

21 (b) *PROGRAM COMPONENTS.*—Section 3(b) (33 U.S.C.
22 1952(b)) *is amended to read as follows:*

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

1 “(1) identify, determine sources of, assess, pre-
2 vent, reduce, and remove marine debris, with a focus
3 on marine debris posing a threat to living marine re-
4 sources and navigation safety;

5 “(2) provide national and regional coordination
6 to assist States, Indian tribes, and regional organiza-
7 tions in identification, determination of sources, as-
8 sessment, prevention, reduction, and removal of ma-
9 rine debris;

10 “(3) undertake efforts to reduce adverse impacts
11 of lost and discarded fishing gear on living marine
12 resources and navigation safety, including—

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

19 “(B) development of effective nonregulatory
20 measures and incentives to cooperatively reduce
21 the volume of lost and discarded fishing gear and
22 to aid in its recovery; and

23 “(4) undertake outreach and education of the
24 public and other stakeholders on sources of marine de-
25 bris, threats associated with marine debris, and ap-

1 *proaches to identify, determine sources of, assess, pre-*
2 *vent, reduce, and remove marine debris and its ad-*
3 *verse impacts on the United States economy, the ma-*
4 *rine environment, and navigational safety, including*
5 *outreach and education activities through public-pri-*
6 *vate initiatives.”.*

7 *(c) GRANT CRITERIA AND GUIDELINES.—Section 3(c)*
8 *(33 U.S.C. 1952(c)) is amended—*

9 *(1) in paragraph (1), by striking “section 2(1)”*
10 *and inserting “section 2”;*

11 *(2) by repealing paragraph (5); and*

12 *(3) by redesignating paragraphs (6) and (7) as*
13 *paragraphs (5) and (6).*

14 **SEC. 6. PROGRESS REPORTS.**

15 *Section 5(c)(2) (33 U.S.C. 1954(c)(2)) is amended—*

16 *(1) by striking “ANNUAL PROGRESS REPORTS.—*
17 *” and all that follows through “thereafter” and insert-*
18 *ing “BIENNIAL PROGRESS REPORTS.—Biennially”;*
19 *and*

20 *(2) by inserting “Natural” before “Resources”.*

21 **SEC. 7. CONFIDENTIALITY OF SUBMITTED INFORMATION.**

22 *Section 6(2) (33 U.S.C. 1955(2)) is amended by strik-*
23 *ing “by the fishing industry”.*

24 **SEC. 8. MARINE DEBRIS DEFINITION.**

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

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

4 (2) *by inserting after paragraph (2) the fol-*
5 *lowing:*

6 “(3) *MARINE DEBRIS.*—*The term ‘marine debris’*
7 *means any persistent solid material that is manufac-*
8 *tured or processed and directly or indirectly, and in-*
9 *tentionally or unintentionally, disposed of or aban-*
10 *doned into the marine environment or the Great*
11 *Lakes.”.*

12 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

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

15 (2) *by striking “2006 through 2010” and all that*
16 *follows through “(1)” and inserting “through fiscal*
17 *year 2015”;* and

18 (3) *in paragraph (1), by striking “\$10,000,000”*
19 *and inserting “\$4,900,000”.*

20 **SECTION 1. SHORT TITLE.**

21 **This Act may be cited as the “Marine De-**
22 **bris Act Amendments of 2012”.**

23 **SEC. 2. REFERENCES.**

24 **Except as otherwise expressly provided,**
25 **whenever in this Act an amendment is ex-**

1 **pressed as an amendment to a section or**
2 **other provision, the reference shall be consid-**
3 **ered to be made to a section or other provi-**
4 **sion of the Marine Debris Research, Preven-**
5 **tion, and Reduction Act (33 U.S.C. 1951 et**
6 **seq.), as in effect immediately before the en-**
7 **actment of this Act.**

8 **SEC. 3. SHORT TITLE AMENDMENT.**

9 **Section 1 (33 U.S.C. 1951 note) is amended**
10 **by striking “Research, Prevention, and Re-**
11 **duction”.**

12 **SEC. 4. PURPOSE.**

13 **Section 2 (33 U.S.C. 1951) is amended to**
14 **read as follows:**

15 **“SEC. 2. PURPOSE.**

16 **“The purpose of this Act is to address the**
17 **adverse impacts of marine debris on the**
18 **United States economy, the marine environ-**
19 **ment, and navigation safety through identi-**
20 **fication, determination of sources, assess-**
21 **ment, prevention, reduction, and removal of**
22 **marine debris.”.**

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

24 **(a) NAME OF PROGRAM.—**

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

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

6 **(B) in subsection (a)—**

7 **(i) by striking “Prevention**
8 **and Removal Program to reduce**
9 **and prevent” and inserting “Pro-**
10 **gram to identify, determine**
11 **sources of, assess, prevent, re-**
12 **duce, and remove”; and**

13 **(ii) by inserting “the economy**
14 **of the United States,” after “ma-**
15 **rine debris on”; and**

16 **(iii) by inserting a comma**
17 **after “environment”.**

18 **(2) CONFORMING AMENDMENT.—Para-**
19 **graph (7) of section 7 (33 U.S.C. 1956) is**
20 **amended by striking “Prevention and Re-**
21 **moval”.**

22 **(b) PROGRAM COMPONENTS.—Section 3(b)**
23 **(33 U.S.C. 1952(b)) is amended to read as fol-**
24 **lows:**

1 **“(b) PROGRAM COMPONENTS.—The Adminis-**
2 **trator, acting through the Program and sub-**
3 **ject to the availability of appropriations,**
4 **shall—**

5 **“(1) identify, determine sources of, as-**
6 **sess, prevent, reduce, and remove marine**
7 **debris, with a focus on marine debris pos-**
8 **ing a threat to living marine resources**
9 **and navigation safety;**

10 **“(2) provide national and regional co-**
11 **ordination to assist States, Indian tribes,**
12 **and regional organizations in identifica-**
13 **tion, determination of sources, assess-**
14 **ment, prevention, reduction, and removal**
15 **of marine debris;**

16 **“(3) undertake efforts to reduce ad-**
17 **verse impacts of lost and discarded fish-**
18 **ing gear on living marine resources and**
19 **navigation safety, including—**

20 **“(A) research and development of**
21 **alternatives to gear posing threats to**
22 **the marine environment, and meth-**
23 **ods for marking gear used in specific**
24 **fisheries to enhance the tracking, re-**

1 covery, and identification of lost and
2 discarded gear; and

3 “(B) development of effective non-
4 regulatory measures and incentives
5 to cooperatively reduce the volume of
6 lost and discarded fishing gear and to
7 aid in its recovery; and

8 “(4) undertake outreach and edu-
9 cation of the public and other stake-
10 holders on sources of marine debris,
11 threats associated with marine debris,
12 and approaches to identify, determine
13 sources of, assess, prevent, reduce, and
14 remove marine debris and its adverse im-
15 pacts on the United States economy, the
16 marine environment, and navigational
17 safety, including outreach and education
18 activities through public-private initia-
19 tives.”.

20 (c) REPEAL.—Section 2204 of the Marine
21 Plastic Pollution Research and Control Act of
22 1987 and the item relating to that section in
23 the table of contents contained in section 2 of
24 the United States-Japan Fishery Agreement

1 **Approval Act of 1987 (33 U.S.C. 1915) are re-**
2 **pealed.**

3 **(d) GRANT CRITERIA AND GUIDELINES.—Sec-**
4 **tion 3(c) (33 U.S.C. 1952(c)) is amended—**

5 **(1) in paragraph (1), by striking “sec-**
6 **tion 2(1)” and inserting “section 2”;**

7 **(2) by repealing paragraph (5); and**

8 **(3) by redesignating paragraphs (6)**
9 **and (7) as paragraphs (5) and (6).**

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

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

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

13 **(2) by repealing subsections (b) and**
14 **(c).**

15 **SEC. 7. AMENDMENTS TO DEFINITIONS.**

16 **(a) INTERAGENCY MARINE DEBRIS COORDI-**
17 **NATING COMMITTEE.—**

18 **(1) IN GENERAL.—Except as provided**
19 **in subsection (b), section 2203 of the Ma-**
20 **rine Plastic Pollution Research and Con-**
21 **trol Act of 1987 (33 U.S.C. 1914) is redesi-**
22 **gnated and moved to replace and appear**
23 **as section 5 of the Marine Debris Re-**
24 **search, Prevention, and Reduction Act**
25 **(33 U.S.C. 1954).**

1 **(2) CLERICAL AMENDMENT.—**The item
2 **relating to section 2203 in the table of**
3 **contents contained in section 2 of the**
4 **United States-Japan Fishery Agreement**
5 **Approval Act of 1987 is repealed.**

6 **(b) BIENNIAL PROGRESS REPORTS.—**Section
7 **5(c)(2) (33 U.S.C. 1954(c)(2)), as in effect imme-**
8 **diately before the enactment of this Act—**

9 **(1) is redesignated as subsection (e) of**
10 **section 5, as redesignated and moved by**
11 **the amendment made by subsection (a) of**
12 **this section; and**

13 **(2) is amended—**

14 **(A) by striking “ANNUAL PROGRESS**
15 **REPORTS.—” and all that follows**
16 **through “thereafter” and inserting**
17 **“BIENNIAL PROGRESS REPORTS.—**
18 **Bienially”;**

19 **(B) by inserting “Natural” before**
20 **“Resources”;**

21 **(C) by redesignating subpara-**
22 **graphs (A) through (E) as paragraphs**
23 **(1) through (5) of such subsection;**
24 **and**

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

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

4 **Section 6(2) (33 U.S.C. 1955(2)) is amended**
5 **by 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**
9 **paragraph (9), and moving such para-**
10 **graph to appear after paragraph (8); and**

11 **(2) by inserting after paragraph (2)**
12 **the following:**

13 **“(3) MARINE DEBRIS.—The term ‘ma-**
14 **rine debris’ means any persistent solid**
15 **material that is manufactured or proc-**
16 **essed and directly or indirectly, and in-**
17 **tentionally or unintentionally, disposed**
18 **of or abandoned into the marine environ-**
19 **ment or the Great Lakes.”.**

20 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

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

22 **(1) by striking “are” and inserting**
23 **“is”;**

1 **(2) by striking “2006 through 2010”**
2 **and all that follows through “(1)” and in-**
3 **serting “through fiscal year 2015”;**

4 **(3) in paragraph (1), by striking**
5 **“\$10,000,000” and inserting “\$4,900,000”;**
6 **and**

7 **(4) by striking “; and” and all that fol-**
8 **lows through the end of paragraph (2)**
9 **and inserting a period.**

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2^D SESSION

H. R. 1171

[Report No. 112-584, Parts I and II]

A BILL

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

JULY 17, 2012

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Infrastructure with an amendment