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112TH CONGRESS
2D SESSION

H. R. 1171

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

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

AN ACT

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Marine Debris Act Amendments of 2012''.

SEC. 2. REFERENCES.

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

SEC. 3. SHORT TITLE AMENDMENT.

Section 1 (33 U.S.C. 1951 note) is amended by striking ''Research, Prevention, and Reduction''.

SEC. 4. PURPOSE.

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

''SEC. 2. PURPOSE.

''The purpose of this Act is to address the adverse impacts of marine debris on the United States economy, the marine environment, and navigation safety through identification, determination of sources, assessment, prevention, reduction, and removal of marine debris.''.

SEC. 5. NOAA MARINE DEBRIS PROGRAM.

(a) NAME OF PROGRAM.—

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

(A) in the section heading by striking "**PREVENTION AND REMOVAL**"; and

(B) in subsection (a)—

(i) by striking "Prevention and Removal Program to reduce and prevent" and inserting "Program to identify, determine sources of, assess, prevent, reduce, and remove";

(ii) by inserting "the economy of the United States," after "marine debris on"; and

(iii) by inserting a comma after "environment".

(2) CONFORMING AMENDMENT.—Paragraph (7) of section 7 (33 U.S.C. 1956) is amended by striking "Prevention and Removal".

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

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

"(1) identify, determine sources of, assess, prevent, reduce, and remove marine debris, with a focus

on marine debris posing a threat to living marine resources and navigation safety;

"(2) provide national and regional coordination to assist States, Indian tribes, and regional organizations in identification, determination of sources, assessment, prevention, reduction, and removal of marine debris;

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

"(A) research and development of alternatives to gear posing threats to the marine environment, and methods for marking gear used in specific fisheries to enhance the tracking, recovery, and identification of lost and discarded gear; and

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

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

adverse impacts on the United States economy, the marine environment, and navigational safety, including outreach and education activities through public-private initiatives.''.

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

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

(1) in paragraph (1), by striking ''section 2(1)'' and inserting ''section 2'';

(2) by repealing paragraph (5); and

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

SEC. 6. REPEAL OF OBSOLETE PROVISIONS.

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

(1) by striking ''(a) STRATEGY.—''; and

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

SEC. 7. AMENDMENTS TO DEFINITIONS.

(a) INTERAGENCY MARINE DEBRIS COORDINATING COMMITTEE.—

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

lution Research and Control Act of 1987 (33 U.S.C. 1914) is redesignated and moved to replace and appear as section 5 of the Marine Debris Research, Prevention, and Reduction Act (33 U.S.C. 1954).

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

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

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

(2) is amended—

(A) by striking ''ANNUAL PROGRESS REPORTS.—'' and all that follows through ''thereafter'' and inserting ''BIENNIAL PROGRESS REPORTS.—Bienially'';

(B) by inserting ''Natural'' before ''Resources'';

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

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

SEC. 8. CONFIDENTIALITY OF SUBMITTED INFORMATION.

Section 6(2) (33 U.S.C. 1955(2)) is amended by striking ''by the fishing industry''.

SEC. 9. MARINE DEBRIS DEFINITION.

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

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

(2) by inserting after paragraph (2) the following:

''(3) MARINE DEBRIS.—The term 'marine debris' means any persistent solid material that is manufactured or processed and directly or indirectly, and intentionally or unintentionally, disposed of or abandoned into the marine environment or the Great Lakes.''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

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

(1) by striking ''are'' and inserting ''is'';

(2) by striking ''2006 through 2010'' and all that follows through ''(1)'' and inserting ''through fiscal year 2015'';

(3) in paragraph (1), by striking ''$10,000,000'' and inserting ''$4,900,000''; and

(4) by striking ''; and'' and all that follows through the end of paragraph (2) and inserting a period.

Passed the House of Representatives August 1, 2012.

Attest: KAREN L. HAAS,

Clerk.