

1980—Pub. L. 96-381 substituted provision authorizing the Administrator of the Environmental Protection Agency to conduct research, etc., and to encourage and cooperate with public authorities, etc., for the purpose of determining means of minimizing or ending, as soon as possible after Oct. 6, 1980, dumping in ocean waters, or waters described in section 1411(b) of this title, of materials which may unreasonably degrade or endanger human health or the marine environment and to develop disposal methods as alternatives to dumping for provision authorizing the Secretary of Commerce to conduct research, etc., and to encourage and cooperate with public authorities, etc., for the purpose of minimizing or ending all dumping of materials within five years after the effective date of Pub. L. 92-532, which was approved Oct. 23, 1972, and inserted provision directing that nothing in this section be construed to affect in any way the Dec. 31, 1981, termination date, established by section 1412a of this title for ocean dumping of sewage sludge.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1442, 1444 of this title.

### § 1444. Annual reports

#### (a) Report by Secretary of Commerce

In March of each year, the Secretary of Commerce shall report to the Congress on his activities under this subchapter during the previous fiscal year. The report shall include—

- (1) the Secretary's findings made under section 1441 of this title, including an evaluation of the short-term ecological effects and the social and economic factors involved with the dumping;
- (2) the results of activities undertaken pursuant to section 1442 of this title;
- (3) with the concurrence of the Administrator and after consulting with officials of other appropriate Federal agencies, an identification of the short- and long-term research requirements associated with activities under subchapter I of this chapter, and a description of how Federal research under this subchapter and subchapter I of this chapter will meet those requirements; and
- (4) activities of the Department of Commerce under section 665 of title 16.

#### (b) Report by Administrator

In March of each year, the Administrator shall report to the Congress on his activities during the previous fiscal year under section 1443 of this title.

#### (c) Report by Under Secretary

On October 31 of each year, the Under Secretary shall report to the Congress the specific programs that the National Oceanic and Atmospheric Administration and the Environmental Protection Agency carried out pursuant to this subchapter in the previous fiscal year, specifically listing the amount of funds allocated to those specific programs in the previous fiscal year.

(Pub. L. 92-532, title II, § 204, formerly § 205, as added Pub. L. 96-572, § 5, Dec. 22, 1980, 94 Stat. 3345; renumbered § 204 and amended Pub. L. 99-272, title VI, § 6065, Apr. 7, 1986, 100 Stat. 132; Pub. L. 100-627, title I, § 102, Nov. 7, 1988, 102 Stat. 3213.)

#### PRIOR PROVISIONS

A prior section 204 of Pub. L. 92-532, which was classified to this section, was renumbered section 205 and is classified to section 1445 of this title.

#### AMENDMENTS

1988—Subsec. (c). Pub. L. 100-627 added subsec. (c).

1986—Pub. L. 99-272 amended section generally. Prior to amendment, section read as follows: "The Administrator of the Environmental Protection Agency is authorized to conduct a study to assist the city of New York in evaluating the technological options available for the removal of heavy metals and other toxic organic materials from the sewage sludge of the city of New York. The study shall also examine options available to reduce the amount of such pollutants entering the sewage system. The study is to be completed by July 1, 1981."

### § 1445. Authorization of appropriations

There are authorized to be appropriated for the first fiscal year after October 23, 1972, and for the next two fiscal years thereafter such sums as may be necessary to carry out this subchapter, but the sums appropriated for any such fiscal year may not exceed \$6,000,000. There are authorized to be appropriated not to exceed \$1,500,000 for the transition period (July 1 through September 30, 1976), not to exceed \$5,600,000 for fiscal year 1977, and not to exceed \$6,500,000 for fiscal year 1978, not to exceed \$11,396,000 for fiscal year 1981, not to exceed \$12,000,000 for fiscal year 1982, not to exceed \$10,635,000 for fiscal year 1986, not to exceed \$11,114,000 for fiscal year 1987, not to exceed \$13,500,000 for fiscal year 1989, and not to exceed \$14,500,000 for fiscal year 1990.

(Pub. L. 92-532, title II, § 205, formerly § 204, Oct. 23, 1972, 86 Stat. 1061; Pub. L. 94-62, § 3, July 25, 1975, 89 Stat. 303; Pub. L. 94-326, § 3, June 30, 1976, 90 Stat. 725; Pub. L. 95-153, § 2, Nov. 4, 1977, 91 Stat. 1255; Pub. L. 96-381, § 2, Oct. 6, 1980, 94 Stat. 1523; renumbered § 205 and amended Pub. L. 99-272, title VI, § 6064, Apr. 7, 1986, 100 Stat. 132; Pub. L. 100-627, title I, § 103, Nov. 7, 1988, 102 Stat. 3213.)

#### PRIOR PROVISIONS

A prior section 205 of Pub. L. 92-532, which was classified to this section, was renumbered section 204 and is classified to section 1444 of this title.

#### AMENDMENTS

1988—Pub. L. 100-627 inserted provision authorizing appropriations not to exceed \$13,500,000 for fiscal year 1989 and not to exceed \$14,500,000 for fiscal year 1990.

1986—Pub. L. 99-272 inserted provision authorizing appropriations not to exceed \$10,635,000 for fiscal year 1986 and not to exceed \$11,114,000 for fiscal year 1987.

1980—Pub. L. 96-381 inserted provision authorizing appropriations not to exceed \$11,396,000 for fiscal year 1981 and not to exceed \$12,000,000 for fiscal year 1982.

1977—Pub. L. 95-153 inserted provision authorizing appropriations not to exceed \$6,500,000 for fiscal year 1978.

1976—Pub. L. 94-326 inserted provision authorizing appropriations not to exceed \$5,600,000 for fiscal year 1977.

1975—Pub. L. 94-62 inserted provision authorizing appropriations not to exceed \$1,500,000 for the transition period (July 1, through Sept. 30, 1976).

### CHAPTER 28—POLLUTION CASUALTIES ON THE HIGH SEAS: UNITED STATES INTERVENTION

Sec.  
1471. Definitions.

- Sec.  
1472. Grave and imminent danger from oil pollution casualties to coastline or related interests of United States; Federal nonliability for Federal preventive measures on the high seas.
1473. Consultations and determinations respecting creation of hazards to human health, etc.; criteria for determinations respecting grave and imminent dangers of major harmful consequences to United States coastline or related interests.
1474. Federal intervention actions.
1475. Consultation procedure.
1476. Emergencies.
1477. Reasonable measures; considerations.
1478. Personal, flag state, and foreign state considerations.
1479. Federal liability for unreasonable damages.  
(a) Payment of compensation.  
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(c) Burden of proof.
1480. Notification by Secretary of State.
1481. Violations; penalties.
1482. Consultation for nomination and nomination of experts, negotiators, etc.; proposal of amendments to list of substances other than convention oil; Presidential acceptance of amendments.  
(a) Nomination of experts and proposal of amendments to list of substances.  
(b) Consultations for designation or nomination of negotiators, etc., provided for by convention and protocol.  
(c) Presidential acceptance of amendments to list of substances other than convention oil in accordance with protocol.
1483. Foreign government ships; immunity.
1484. Interpretation and administration; other right, duty, privilege, or immunity and other remedy unaffected.
1485. Rules and regulations.
1486. Oil Spill Liability Trust Fund.
1487. Effective date.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2702, 2703, 2704 of this title; title 42 section 9611.

## § 1471. Definitions

As used in this chapter—

(1) “a substance other than convention oil” means those oils, noxious substances, liquefied gases, and radioactive substances—

(A) enumerated in the protocol, or

(B) otherwise determined to be hazardous under section 1473(a) of this title;

(2) “convention” means the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, including annexes thereto;

(3) “convention oil” means crude oil, fuel oil, diesel oil, and lubricating oil;

(4) “Secretary” means the Secretary of the department in which the Coast Guard is operating;

(5) “ship” means—

(A) a seagoing vessel of any type whatsoever, and

(B) any floating craft, except an installation or device engaged in the exploration and exploitation of the resources of the seabed and the ocean floor and the subsoil thereof;

(6) “protocol” means the Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances Other Than Oil, 1973, including annexes thereto; and

(7) “United States” means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the United States Virgin Islands, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Marianas, and any other commonwealth, territory, or possession of the United States.

(Pub. L. 93-248, §2, Feb. 5, 1974, 88 Stat. 8; Pub. L. 95-302, §1(1), June 26, 1978, 92 Stat. 344.)

## REFERENCES IN TEXT

For definition of Canal Zone, referred to in par. (7), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

## AMENDMENTS

1978—Pub. L. 95-302 in cl. (1) substituted definition of “a substance other than convention oil” for definition of “ship”, in cl. (2) substituted definition of “convention” for definition of “oil”, in cl. (3) substituted definition of “convention oil” for definition of “convention”, in cl. (5) substituted definition of “ship” for definition of “United States”, and added cls. (6) and (7).

## EFFECTIVE DATE OF 1978 AMENDMENT

For effective date of amendment by Pub. L. 95-302, see section 2 of Pub. L. 95-302, set out as a note under section 1487 of this title.

## SHORT TITLE

Section 1 of Pub. L. 93-248 provided: “That this Act [enacting this chapter] may be cited as the ‘Intervention on the High Seas Act’.”

## TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

**§ 1472. Grave and imminent danger from oil pollution casualties to coastline or related interests of United States; Federal nonliability for Federal preventive measures on the high seas**

Whenever a ship collision, stranding, or other incident of navigation or other occurrence on board a ship or external to it resulting in material damage or imminent threat of material damage to the ship or her cargo creates, as determined by the Secretary, a grave and imminent danger to the coastline or related interests of the United States from pollution or threat of pollution of the sea by convention oil or of the sea or atmosphere by a substance other than convention oil which may reasonably be expected to result in major harmful consequences, the Secretary may, except as provided for in section 1479 of this title, without liability for any damage to the owners or operators of the ship, to her cargo or crew, to underwriters or other parties interested therein, take measures on the high seas, in accordance with the provisions of the convention, the protocol and this chapter, to prevent, mitigate, or eliminate that danger.

(Pub. L. 93-248, §3, Feb. 5, 1974, 88 Stat. 8; Pub. L. 95-302, §1(2), June 26, 1978, 92 Stat. 344.)