

classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

§ 4605. Authority to execute contracts

The Secretary is authorized to enter into contracts and cooperative agreements and generally to do any and all lawful acts necessary or appropriate to further the purposes of the TPIA Program.

(Pub. L. 101-628, title XI, § 1106, Nov. 28, 1990, 104 Stat. 4503.)

§ 4606. Distribution of appropriate items

The Secretary is authorized to distribute pamphlets and other such appropriate items in order to promote the purposes of the TPIA Program.

(Pub. L. 101-628, title XI, § 1107, Nov. 28, 1990, 104 Stat. 4503.)

§ 4607. Slogan and logo

The “Take Pride in America” slogan and logo, which are registered by the Department of the Interior, and the goodwill associated with such slogan and logo, shall be administered pursuant to the TPIA Program.

(Pub. L. 101-628, title XI, § 1108, Nov. 28, 1990, 104 Stat. 4503.)

§ 4608. Authorization of appropriations

(a) Department of the Interior

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the purposes of this chapter, not to exceed the amount expended for such purposes for fiscal year 1990.

(b) Other Federal agencies

There are authorized to be appropriated to other Federal departments and agencies such sums as may be necessary to carry out the provisions of any other Take Pride in America programs established by such departments or agencies.

(Pub. L. 101-628, title XI, § 1109, Nov. 28, 1990, 104 Stat. 4503.)

CHAPTER 67—AQUATIC NUISANCE PREVENTION AND CONTROL

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 4701. Findings and purposes.
 - (a) Findings.
 - (b) Purposes.
- 4702. Definitions.

SUBCHAPTER II—PREVENTION OF UNINTENTIONAL INTRODUCTIONS OF NONINDIGENOUS AQUATIC SPECIES

- 4711. Aquatic nuisance species in waters of United States.
 - (a) Great Lakes guidelines.
 - (b) Regulations.
 - (c) Voluntary national guidelines.
 - (d) Report to Congress.
 - (e) Periodic review and revision.
 - (f) Authority of Secretary.
 - (g) Sanctions.
 - (h) Coordination with other agencies.
 - (i) Consultation with Canada, Mexico and other foreign governments.

- Sec. (j) International cooperation.
- (k) Safety exemption.
- (l) Non-discrimination.
- 4712. National ballast water management information.
 - (a) Studies on introduction of aquatic nuisance species by vessels.
 - (b) Ecological and ballast water discharge surveys.
 - (c) Reports.
 - (d) Negotiations.
 - (e) Regional research grants.
 - (f) National ballast information clearinghouse.
- 4713. Armed services ballast water programs.
 - (a) Department of Defense vessels.
 - (b) Coast Guard vessels.
- 4714. Ballast water management demonstration program.
 - (a) “Technologies and practices” defined.
 - (b) Demonstration program.
 - (c) Authorities; consultation and cooperation with International Maritime Organization and Task Force.

SUBCHAPTER III—PREVENTION AND CONTROL OF AQUATIC NUISANCE SPECIES DISPERSAL

- 4721. Establishment of Task Force.
 - (a) Task Force.
 - (b) Membership.
 - (c) Ex officio members.
 - (d) Chairpersons.
 - (e) Memorandum of understanding.
 - (f) Coordination.
- 4722. Aquatic nuisance species program.
 - (a) In general.
 - (b) Content.
 - (c) Prevention.
 - (d) Monitoring.
 - (e) Control.
 - (f) Research.
 - (g) Technical assistance.
 - (h) Education.
 - (i) Zebra mussel demonstration program.
 - (j) Implementation.
 - (k) Reports.
- 4723. Regional coordination.
 - (a) Great Lakes panel.
 - (b) Western regional panel.
 - (c) Additional regional panels.
- 4724. State aquatic nuisance species management plans.
 - (a) State or interstate invasive species management plans.
 - (b) Grant program.
 - (c) Enforcement assistance.
- 4725. Relationship to other laws.
- 4726. International cooperation.
 - (a) Advice.
 - (b) Negotiations.
- 4727. Intentional introductions policy review.
- 4728. Brown tree snake control program.

SUBCHAPTER IV—AUTHORIZATION OF APPROPRIATIONS

- 4741. Authorization of appropriations.
 - (a) Prevention of unintentional introductions.
 - (b) Task Force and aquatic nuisance species program.
 - (c) Grants for State management programs.
 - (d) Intentional introductions policy review.
 - (e) Ballast water management demonstration program.
 - (f) Research.

SUBCHAPTER V—COOPERATIVE ENVIRONMENTAL ANALYSES

- 4751. Environmental impact analyses.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 941c of this title.

SUBCHAPTER I—GENERAL PROVISIONS

§ 4701. Findings and purposes

(a) Findings

The Congress finds that—

(1) the discharge of untreated water in the ballast tanks of vessels and through other means results in unintentional introductions of nonindigenous species to fresh, brackish, and saltwater environments;

(2) when environmental conditions are favorable, nonindigenous species become established, may compete with or prey upon native species of plants, fish, and wildlife, may carry diseases or parasites that affect native species, and may disrupt the aquatic environment and economy of affected nearshore areas;

(3) the zebra mussel was unintentionally introduced into the Great Lakes and has infested—

(A) waters south of the Great Lakes, into a good portion of the Mississippi River drainage;

(B) waters west of the Great Lakes, into the Arkansas River in Oklahoma; and

(C) waters east of the Great Lakes, into the Hudson River and Lake Champlain;

(4) the potential economic disruption to communities affected by the zebra mussel due to its colonization of water pipes, boat hulls and other hard surfaces has been estimated at \$5,000,000,000 by the year 2000, and the potential disruption to the diversity and abundance of native fish and other species by the zebra mussel and ruffe, round goby, and other nonindigenous species could be severe;

(5) the zebra mussel was discovered on Lake Champlain during 1993 and the opportunity exists to act quickly to establish zebra mussel controls before Lake Champlain is further infested and management costs escalate;

(6) in 1992, the zebra mussel was discovered at the northernmost reaches of the Chesapeake Bay watershed;

(7) the zebra mussel poses an imminent risk of invasion in the main waters of the Chesapeake Bay;

(8) since the Chesapeake Bay is the largest recipient of foreign ballast water on the East Coast, there is a risk of further invasions of other nonindigenous species;

(9) the zebra mussel is only one example of thousands of nonindigenous species that have become established in waters of the United States and may be causing economic and ecological degradation with respect to the natural resources of waters of the United States;

(10) since their introduction in the early 1980's in ballast water discharges, ruffe—

(A) have caused severe declines in populations of other species of fish in Duluth Harbor (in Minnesota and Wisconsin);

(B) have spread to Lake Huron; and

(C) are likely to spread quickly to most other waters in North America if action is not taken promptly to control their spread;

(11) examples of nonindigenous species that, as of October 26, 1996, infest coastal waters of

the United States and that have the potential for causing adverse economic and ecological effects include—

(A) the mitten crab (*Eriocheir sinensis*) that has become established on the Pacific Coast;

(B) the green crab (*Carcinus maenas*) that has become established in the coastal waters of the Atlantic Ocean;

(C) the brown mussel (*Perna perna*) that has become established along the Gulf of Mexico; and

(D) certain shellfish pathogens;

(12) many aquatic nuisance vegetation species, such as Eurasian watermilfoil, hydrilla, water hyacinth, and water chestnut, have been introduced to waters of the United States from other parts of the world causing or having a potential to cause adverse environmental, ecological, and economic effects;

(13) if preventive management measures are not taken nationwide to prevent and control unintentionally introduced nonindigenous aquatic species in a timely manner, further introductions and infestations of species that are as destructive as, or more destructive than, the zebra mussel or the ruffe infestations may occur;

(14) once introduced into waters of the United States, aquatic nuisance species are unintentionally transported and introduced into inland lakes and rivers by recreational boaters, commercial barge traffic, and a variety of other pathways; and

(15) resolving the problems associated with aquatic nuisance species will require the participation and cooperation of the Federal Government and State governments, and investment in the development of prevention technologies.

(b) Purposes

The purposes of this chapter are—

(1) to prevent unintentional introduction and dispersal of nonindigenous species into waters of the United States through ballast water management and other requirements;

(2) to coordinate federally conducted, funded or authorized research, prevention¹ control, information dissemination and other activities regarding the zebra mussel and other aquatic nuisance species;

(3) to develop and carry out environmentally sound control methods to prevent, monitor and control unintentional introductions of nonindigenous species from pathways other than ballast water exchange;

(4) to understand and minimize economic and ecological impacts of nonindigenous aquatic nuisance species that become established, including the zebra mussel; and

(5) to establish a program of research and technology development and assistance to States in the management and removal of zebra mussels.

(Pub. L. 101-646, title I, § 1002, Nov. 29, 1990, 104 Stat. 4761; Pub. L. 104-182, title III, § 308(a), Aug. 6, 1996, 110 Stat. 1689; Pub. L. 104-332, § 2(a)(1), (h)(1), Oct. 26, 1996, 110 Stat. 4073, 4091.)

¹ So in original. Probably should be followed by a comma.