

SUMMARIES OF RELEVANT STATUTES

Jurisdiction and Boundaries

Environmental Policy and Conflict Resolution Act of 1998

20 U.S.C. §§ 5602-5608

This act established a Program for Environmental Policy Research and Environmental Conflict Resolution and Training at the Udall Center for Studies in Public Policy at the University of Arizona.

McCarran Amendment

43 U.S.C. § 666(a)

This Amendment gives consent for a party to join the U.S. as a defendant in any suit for the adjudication of rights to use of water of a river system or other source, or for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights.

National Advisory Committee on Oceans and Atmosphere Act of 1977

33 U.S.C. §§ 857-13 to 857-18

This statute established a committee to continually review the national ocean policy, coastal zone management, and the status of marine and atmospheric programs of the United States. The committee reports to the President and advises the Secretary of Commerce with respect to activities carried out by the National Oceanic and Atmospheric Administration.

Coastal Management, Development and Protection Management

Chesapeake Bay Initiative Act of 1998

Pub. L. No. 105-312, 112 Stat. 2961 (codified as amended at 16 U.S.C. § 461 note).

This Act provides the Secretary of Interior the power to take measures to protect the Chesapeake Bay watershed including technical and financial assistance for the following: identifying, restoring, and interpreting natural, recreational, historical, and cultural resources within the Chesapeake Bay Watershed; enhancing public education of and access to the Chesapeake Bay; and creating a network of Chesapeake Bay Gateways sites and Chesapeake Bay Watertrails.

National Wildlife Refuge System Act

National Wildlife Refuge System Improvement Act of 1997

16 U.S.C. §§ 668dd, 668ee

The original act created the National Wildlife Refuge System, under the control of the Fish and Wildlife Service, to administer a national network of lands and waters for

conservation, management, and restoration of fish, wildlife, and plant resources and habitats within the U.S. The Improvement Act directed the Secretary of Interior to establish a process for determining compatible uses on refuges.

Swampbuster Act

16 U.S.C. §§ 3821-3824

This act makes certain persons ineligible for loans from the Department of Agriculture if, after November 28, 1990, they convert a wetland by draining, dredging, filling, leveling, or any other means for the purpose of making the production of an agricultural commodity possible on such converted wetlands. This act also authorizes the establishment of the Wetlands Mitigation Banking Program.

Wetlands and Wildlife Enhancement Act of 1998

16 U.S.C. § 3744

The Secretary of Interior is authorized to provide funds from a general Fund to designated State agencies to assist in carrying out eligible wildlife conservation and appreciation projects.

Wetland Loan Act of 1961

16 U.S.C. §§ 715k-3 to 715k-5

This act provided federal funds to purchase lands to offset or prevent loss of wetlands and other waterfowl habitat.

Development

National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998

16 U.S.C. § 742f

This enhancement act authorized the Secretary of Interior to construct, operate, and maintain reservoirs for public recreation, fishing and wildlife enhancements.

Recreational Boating Safety Act of 1986

16 U.S.C. § 1464; 46 U.S.C. §§ 13101, 13102, 13106, 13110

This act established an advisory council responsible for the study of boating safety which terminated September 30, 2000.

Water Resources Development Act

33 U.S.C. §§ 2201-2339

This act gives the Secretary of the Army, through the Army Corps of Engineers, the authority to carry out an aquatic ecosystem restoration and protection project if the Secretary determines that the project will improve the quality of the environment, is in the public interest, and is cost-effective.

Water Supply Act

33 U.S.C. §§ 390b-d

This act recognized the responsibilities of the States and local interests in developing water supplies for domestic, municipal, and industrial purposes and directed the U.S. government to participate and cooperate with States and local interests in developing water supplies in connection with the construction, maintenance, and operation of federal navigation, flood control, irrigation, or multiple purpose projects.

Watershed Protection and Flood Prevention Act

16 U.S.C. §§ 1001-1012

This act authorized federal assistance and cooperation with States, their political subdivisions, soil or water conservation districts, flood prevention or control districts, and local public agencies to prevent damages from flooding and to further conservation, development, utilization, and disposal of water.

Protection**Antarctic Science, Tourism and Conservation Act of 1996**

16 U.S.C. §§ 2401-2405, 2413, 2463-2466; 33 U.S.C. §§ 1901-1903, 1905, 1907, 1908

The act authorizes the Environmental Protection Agency and the National Science Foundation to take measure to provide conservation and protection of the faunas and flora of Antarctica and its ecosystems. The Act also applies to potential pollution which is attributable to shipping that occurs in the Antarctic.

Emergency Wetlands Resources Act of 1986

16 U.S.C. §§ 4601-8, 4601-9, 707, 715k-3, 715k-5, 718b, 3901, 3902, 3911, 3912, 3921, 3922, 3923, 3931, 3932, 4104

The act authorized the Secretary of Interior to provide financial assistance to States in order to intensify efforts to protect wetlands through acquisition of lands, easements or other property interests. The purpose for the protection of wetlands is to fulfill international migratory bird treaties and other conventions with Canada, Mexico, Japan and other Western Hemisphere countries.

North American Wetlands Conservation Act

16 U.S.C. §§ 4401-4413

This Act is designed to encourage partnership among public agencies and other interests to protect wetland ecosystems and other habitats for migratory birds and other fish and wildlife, and to establish the North American Wetlands Conservation Council under the control of the Secretary of Interior.

Marine Environmental Quality

Clean Air Act (Air Pollution Control Act)

42 U.S.C. §§ 7401-7642

The act authorizes the Environmental Protection Agency to adopt regulations to protect and enhance the quality of the Nation's air resources in order to promote the public health and welfare. States may administer the Act in consultation with federal agencies such as the EPA.

Comprehensive Environmental Response, Compensation and Liability Act of 1980

42 U.S.C.A. §§ 9601-9675

This act (CERCLA) authorizes the cleanup of environmental contamination by imposing costs on parties responsible for the pollution. The EPA may remove contaminants, take remedial action against exposure, and claim damages for natural resource injuries from responsible parties.

Emergency Planning and Community Right to Know Act

42 U.S.C. §§ 11001, 11002 to 11005, 11021, 11022, 11023, 11041 to 11050

This act established State commissions responsible for providing the public with information on hazardous and toxic chemicals in their communities. It also established planning and notification requirements to protect the public in case of release of hazardous or toxic chemicals.

Florida Keys National Marine Sanctuary Act

16 U.S.C. § 1433 note, 1444

The act created the Florida Keys National Marine Sanctuary under the Department of Commerce.

Global Change Research Act of 1990

15 U.S.C. §§ 2921, 2931-2938, 2951-2953, 2961

The act established the Committee on Earth and Environmental Sciences to develop and coordinate a research program to help understand, assess, and respond to changes in global and natural processes brought on by human activities.

National Coastal Monitoring Act

33 U.S.C. §§ 2801-2805

The act requires the EPA, Under Secretary of Commerce for Oceans and Atmospheres, and other federal and state authorities to develop and implement a program for the long term study of the environmental quality of coastal ecosystems.

National Contaminated Sediment Assessment and Management Act

33 U.S.C. §§ 1271, 1412, 1413, 1415, 1416

The act requires the EPA, in consultation with NOAA and the Department of the Army, to conduct a comprehensive national survey of data regarding sediment quality and continuing program to assess sediment quality.

National Weather Service Organic Act

15 U.S.C. § 311-329

This act establishes the National Weather Service and transfers duties from the Weather Service and the Coast and Geodetic Survey.

Ocean Dumping Ban Act

33 U.S.C. §§ 1268, 1412a, 1414b, 1414c

This act prohibits anyone from dumping into ocean waters sewage sludge and industrial waste, unless they receive certain permits issued by the Environmental Protection Agency.

Resource Conservation and Recovery Act of 1976 (RCRA)

42 U.S.C. §§ 6901-6907, 6911-6916, 6921-6931, 6941-6949, 6951-6954, 6961-6964, 6971-6979, 6981-6986

The act calls for the EPA to reduce or eliminate the generation of hazardous waste, and to provide for the treatment, storage, or disposal of such hazardous waste that is generated “from cradle to grave.”

Robert T. Stafford Disaster Relief and Emergency Assistance Act (Disaster Relief Act of 1974)

42 U.S.C. § 5121-5204

The act provides an orderly and continuing means of assistance by the federal government to State and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from natural disasters through grants and the development of programs and plans to deal with natural disasters.

Safe Drinking Water Act of 1974

42 U.S.C. §§ 300f-300j

The act establishes the National Drinking Water Regulations enforced by the EPA. The EPA is to monitor drinking water for contaminants which pose a treat to public health and welfare.

Shore Protection Act of 1988

33 U.S.C. §§ 2601-2609, 2622, 2623

The act authorizes the Secretary of Transportation to require permits for vessels which carry municipal or commercial wastes in coastal waters.

Small Business Liability Relief and Brownfields Revitalization Act

Public Law 107-118 (HR 2869), January 11, 2002

The act amends the Comprehensive Environmental Response, Compensation, and Liability Act, to include certain exemptions for municipal waste and other provisions requiring the Administrator of the EPA to reduce settlement amounts of liability based on a limited ability to pay. The Act also establishes a grant program for eligible entities to apply for assistance in funding for certain Brownfields revitalization projects.

Watershed Protection and Flood Prevention Act

16 U.S.C. §§ 1001-1007

This Act directs the Secretary of Agriculture to cooperate with States and their political subdivisions, soil or water conservation districts, flood prevention or control districts, and

other agencies to prevent damages of water and the land resources from erosion, floodwater, and sediment damages in watersheds.

Water Resources Planning Act

42 U.S.C. §§ 1962-1962d-3

The act establishes the Water Resources Council in order to encourage conservation, development and use of water and related land resources by the Federal and State governments as well as private enterprises. This act stated that federally financed water resource projects are to evaluate benefits and costs of the projects as it relates to public health and national economic development.

Living Marine Resources ***Fisheries Management***

Anadromous Fish Conservation Act of 1965

16 U.S.C. §§ 757a-g

The act authorizes the Secretary of Commerce to conserve, develop, and enhance the anadromous fishery resources of the Nation in the Great Lakes and Lake Champlain.

Antarctic Marine Living Resources Convention Act of 1984

16 U.S.C. §§ 2431, 2431 note, 2432-2444

The act establishes the Commission for the Conservation of Antarctic Marine Living Resources under the Secretary of State, with the concurrence of the Secretary of Commerce and the Director of the National Science Foundation, with the purpose of implementing the Convention on the Conservation of Antarctic Marine Living Resources.

Atlantic Coastal Fisheries Act of 2000

16 U.S.C. §§ 5101, 5108

This act appropriates \$10 million for each of the fiscal years 2001 through 2005 to the Secretary of Commerce to support and encourage the development, implementation, and enforcement of effective interstate conservation and management of Atlantic coastal fishery resources.

Atlantic Coastal Fisheries Cooperative Management Act

16 U.S.C. §§ 4107, 5101-5108

The act authorizes the Atlantic States Marine Fisheries Commission to support, encourage, and develop an effective interstate enforcement and conservation plan for the management of Atlantic coastal fishing resources.

Atlantic Salmon Convention Act of 1982

16 U.S.C. §§ 3601-3608

The act provides for the conservation and management of salmon in the North Atlantic

Fishery and establishes rulemaking and enforcement provisions to be used in the fishery.

Atlantic Tuna Convention Act of 1975

16 U.S.C. §§ 971-971k

This act establishes a commission to advise the Secretary of Commerce on the development of regulations to implement the International Convention on the Conservation of Atlantic Tunas, the enforcement of those regulations, and to encourage research on migratory species of Atlantic tuna.

Central, Western, and South Pacific Fisheries Development Act

16 U.S.C. § 758e

The act gives the Secretary of Commerce, along with the Pacific Fisheries Development Foundation, the authority to carry out a program for the development of the tuna and other latent fisheries resources of the Central, Western, and South Pacific Ocean.

Control of the “Crown of Thorns” Seastar Act

16 U.S.C. §§ 1211-1213

The act authorizes the Secretary of Commerce and the Secretary of the Smithsonian Institution to cooperate with and provide assistance to the governments of the State of Hawaii, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and other island possessions of the United States, in the study and control of the seastar “Crown of Thorns” (*Acanthaster planci*).

Dingell-Johnson Sport Fish Restoration Act (Federal Aid in Fish Restoration Act) (Fish Restoration and Management Projects Act) (Johnson Fish Restoration Act)

16 U.S.C. §§ 777, 777a-777i

The act directs the Secretary of Interior to assist State fish and wildlife agencies in developing management plans that would lead to the restoration of sport fish species, but the Secretary cannot expend any funds under the act until the States have adopted laws regarding the conservation and restoration of fish species.

Driftnet Impact Monitoring, Assessment, and Control Act

16 U.S.C. § 1822 note

The act authorized the monitoring, assessment, and review of the adverse impact of large scale driftnet fishing. The act led to the enactment of High Seas Driftnet Fishing Moratorium Protection Act, codified at 16 U.S.C. §§ 1826g-1826g.

Eastern Pacific Tuna Licensing Act of 1984

16 U.S.C. §§ 972, 972a-972h

The act authorizes the Secretary of Commerce, in cooperation with the Secretary of State and the Secretary of the Department in which the Coast Guard is operating, to promulgate any regulations necessary to implement the Eastern Pacific Ocean Tuna Fishing Agreement of 1983.



Fish and Game Sanctuary Act

16 U.S.C. §§ 694-694b

The act calls for the Secretaries of Commerce and Agriculture to provide the President nominations of lands and waters located in national forests which are not chiefly suitable for agriculture, to provide breeding places for game birds, game animals and fish

Fish and Seafood Promotion Act of 1986

16 U.S.C. §§ 4001-4017

The act calls for the strengthening of the competitive position of the United States commercial fishing industry in the domestic and international marketplace and establishes a promotional fund under the Secretary of the Treasury to accomplish that goal.

Fish and Wildlife Act of 1956

16 U.S.C. §§ 742a-742j

The Act created the U.S. Fish and Wildlife Service to further resource development and to allow the public recreation use of fish and wildlife resources.

Fish and Wildlife Conservation Act of 1980

16 U.S.C. §§ 2901-2912

This Act is designed to provide financial and technical assistance to the States for the development, revision, and implementation of conservation plans and programs for nongame fish and wildlife by approval of State conservation plans by the Secretary of Interior.

Fish and Wildlife Coordination Act

16 U.S.C. §§ 661-666c

The act directs the Secretary of Interior to develop and implement programs to ensure and protect the species of wildlife and their habitats across federal and state lands. The act also calls for collaboration between agencies regarding federal activities that affect U.S. wildlife and its habitat.

Fish and Wildlife Improvement Act of 1978

16 U.S.C. §§ 460k-3, 666g, 668a, 668dd, 690e, 695i, 695j-1, 706, 712, 715d, 715i, 715j, 718c, 718f, 742f, 742l, 753a

This act amended the Fish and Wildlife Act of 1956, Migratory Bird Conservation Act, and National Wildlife Refuge System Administration Act of 1966, including a provision regarding the taking of migratory birds in a national wildlife refuge if it was determined to benefit the species.

Fish and Wildlife Revenue Enhancement Act of 1998

16 U.S.C. § 742l

The act allows for the sale of abandoned and forfeited property to the U.S. Fish and Wildlife Service. The proceeds from these sales may be used by the Fish and Wildlife

Service to cover the costs of storing, shipping, and/or disposing of the property.

Fisheries Act of 1995

16 U.S.C. §§ 971-971k, 1826d-1826g, 5501-5509, 5601-5610, 5701-5709

This act amended or enacted the following:

Title I enacted the *High Seas Fishing Compliance Act of 1995*, 16 U.S.C. §§ 5501-5509. It established a system of permitting and reporting for U.S. vessels fishing on the high seas.

Title II enacted the *Northwest Atlantic Fisheries Act of 1995*, 16 U.S.C. §§ 5601-5610. It established a Commission to consult with the Regional Fishery Council to promulgate rules applicable to the Northwest Atlantic Fishery.

Title III amended the *Atlantic Tuna Convention Act* by requiring biennial reports on tuna fishing in the region

Title IV amended the *Fisherman's Protective Act of 1967* by allowing vessel owners to seek reimbursement for fees paid to foreign fisheries if the fee was inconsistent with international law.

Title V enlarged the geographic area of the *Central Bering Sea Fisheries Enforcement Act of 1992* by adding the Sea of Okhotsk.

Title VI enacted the *High Seas Driftnet Fishing Moratorium Protection Act*, 16 U.S.C. §§ 1826a-1826g, prohibiting large scale driftnet fishing.

Title VII enacted the *Yukon River Salmon Act of 1995*, 16 U.S.C. §§ 5701 to 5709, to implement a conservation program for salmon stocks in the Yukon River.

Fisheries Amendments of 1982

16 U.S.C. §§ 1034, 1401, 1823 note, 3601-3608; 46 U.S.C. §§ 688, 883

These amendments were promulgated to establish a Commission under the Secretary of Commerce, in cooperation with the Secretary of Interior and the Secretary of Transportation, to help issue regulations that will satisfy the requirements in the Convention for the Conservation of Salmon in the North Atlantic Ocean.

Fisheries Financing Act of 1996

46 U.S.C. app. §§ 1274, 1279f, 1279g

This act amended the Merchant Marine Act of 1936 allowing the federal government to guarantee loans for the construction, reconstruction, or purchase of fishing vessels to be used within the exclusive economic zone of the United States.

Fisheries Restoration and Irrigation Mitigation Act of 2000

16 U.S.C. § 777 note

The act directs the Secretary of Interior, in consultation with the heads of other appropriate agencies, to develop and implement projects to mitigate impacts to fisheries resulting from the construction and operation of water diversions by local government entities (including soil and water conservation districts) in the Pacific Ocean drainage area.

Fisherman's Protective Act of 1967

22 U.S.C. §§ 1971-1980

The act directs the Secretary of State to protect any U.S. vessel seized by a foreign country while conducting fishing operations if certain preconditions are met.

Fishery Conservation Zone Transition Act

16 U.S.C. §§ 1801, 1823, 1826

This act establishes the procedure by which international fishery agreements become effective with respect to the United States.

Great Lakes Fish and Wildlife Restoration Act of 1998

16 U.S.C. §§ 941a-941c, 941f, 941g

The act calls for the development and implementation of proposals for the restoration of the fish and wildlife resources in the Great Lakes Basin. The act creates the Great Lakes Fish and Wildlife Restoration Proposal Review Committee, which, along with the Director of the U.S. Fish and Wildlife Service, encourages the development and implementation of proposals for restoring fish and wildlife in the Great Lakes Basin.

Pelly Amendment to the Fisherman's Protective Act of 1967

22 U.S.C. § 1978

The Pelly Amendment to the Fisherman's Protective Act of 1967, was enacted in 1971 to conserve Atlantic salmon. The Amendment grants the President discretion to prohibit the importation of fish or fish products originating in a country that is diminishing the effectiveness of an international fishery conservation program. Furthermore, the Packwood-Magnuson Amendment of 1979, codified at 16 U.S.C. § 1821(e), an amendment to the Fishery Conservation and Management Act, allows the President to impose trade sanctions pursuant to the Pelly Amendment if a country is diminishing the effectiveness of the International Convention for the Regulation of Whaling.

Tuna Convention Act of 1950

16 U.S.C. §§ 951-961

The act establishes various committees and commissions under the authority of the Secretary of State responsible for recommendations for such areas as fishing practices and gear technology research associated with the tuna fishing industry.

Protected and Endangered Species

Atlantic Striped Bass Conservation Act

16 U.S.C. §§ 5152-5154, 5156, 5158

The act calls for the development, implementation, and enforcement of effective interstate action regarding the conservation and management of the Atlantic Striped Bass through the Departments of Commerce and Interior, along with the Atlantic States Marine Fisheries Commission.

Bald Eagle Protection Act (Golden Eagle Protection Act)

16 U.S.C. §§ 668, 668a to 668d

The act prohibits the taking of Bald or Golden Eagles within the jurisdiction of the United States. The act defines permitted takings as well and enforcement provisions for unlawful takings.

Detroit River International Wildlife Refuge Establishment Act

Public Law 107-91, 115 Stat. 894 (2001)

The act, adopted in 2001, established the nation's first international Wildlife Refuge to protect the remaining high-quality fish and wildlife habitats of the Detroit River and to restore and enhance degraded wildlife habitats associated with the Detroit River. The act calls for assistance with international efforts to conserve, enhance, and restore the native aquatic and terrestrial community characteristics of the Detroit River in the U.S. and Canada, and partnerships between the U.S. Fish and Wildlife Service, Canadian national and provincial authorities, State and local governments, communities, and conservation organizations.

Fur Seal Act Amendments of 1983

5 U.S.C. §§ 8332, 8334; 16 U.S.C. §§ 1151-1159, 1161-1169, 1171-1175; 25 U.S.C. § 450i

The act makes it unlawful for any person or vessel under the jurisdiction of the U.S. to engage in the taking of fur seals in the North Pacific Ocean or on lands or waters within the jurisdiction of the United States. The act authorizes the Secretary of Commerce to permit the taking of fur seals by Indians, Aleuts, and Eskimos and selling of their skins after an inspection by Department of Commerce personnel.

High Seas Driftnet Fisheries Enforcement Act

16 U.S.C. §§ 1362, 1371, 1801 note, 1823 note, 1826a-1826c, 1852, 1861 note, 1862; 22 U.S.C. § 1978; 46 U.S.C. § 2110

The act calls for the Secretaries of Commerce and State to generate a list of nations whose fishing vessels engage in large scale driftnet fishing on the high seas, and for the Secretary of Treasury to deny entry into the navigable waters of the United States to any fishing vessel that engages in large-scale driftnet fishing operations.

International Dolphin Conservation Program Act

16 U.S.C. §§ 952, 953, 962, 1362, 1371, 1374, 1378, 1380, 1385, 1411-1418

The act calls for the reduction of the amount of dolphin takings associated with tuna fishing in the Pacific Ocean. It also eliminates the ban on imports of tuna from those countries that are in compliance with the International Dolphin Conservation Program.

Migratory Bird Treaty Act

16 U.S.C. §§ 703-708, 709a, 710, 711

The act authorizes the Secretary of Interior to issue rules for the preservation, distribution, introduction, and restoration of game and other wild birds.

National Fishing Enhancement Act of 1984

33 U.S.C. §§ 2101-2106

The act promotes and facilitates the effective and responsible efforts to establish artificial reefs in the waters of the United States.

Northern Pacific Halibut Act of 1982

16 U.S.C. §§ 772-772j, 773-773k.

The act repeals the Northern Pacific Halibut Act of 1937. The act authorizes the Secretary of Commerce to appoint United States Commissioners to the International Pacific Halibut Commission as provided in the Convention between the U.S. and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea of 1953 and the Protocol Amending the Convention signed in Washington, DC 1979.

South Pacific Tuna Act of 1988

16 U.S.C. §§ 973, 973a-973r

The act authorizes the Secretary of Commerce to promulgate regulations and enforce the provisions of the Treaty on Fisheries Between the Government of Certain Pacific Island States and the Government of the United States.

Sponge Act

16 U.S.C. §§ 781-785

The act makes it unlawful for a U.S. citizen, boat, or vessel of the U.S. to take or catch any commercial sponge measuring when wet less than five inches in their maximum diameter in the waters of the Gulf of Mexico or the Straits of Florida, or for any person or vessel to have in their possession commercial sponges for sale in the U.S. The Department of Commerce has enforcement authority for this act.

Whaling Convention Act of 1949

16 U.S.C. §§ 916, 916a-916l

The act establishes the International Whaling Commission. It authorizes the Secretary of Commerce to promulgate regulations to promote a moratorium on the commercial killing of whales.

Non-Living Marine Resources

Oil and Gas Development

Trans-Alaska Pipeline Authorization Act

43 U.S.C. §§ 1651-1656

The act authorized the construction of the Trans-Alaskan oil pipeline and directed the Department of the Interior and other federal agencies to assist in the construction of the pipeline by not impeding the construction, while continuing to protect the public interest.

Marine Minerals Mining

Marine Minerals Resources Research Act of 1996

30 U.S.C. §§ 21a, 1901-1905

The act authorizes the Secretary of Interior to establish a program of research on marine mineral resources to promote research, identification, assessment, and exploration of

marine mineral resources in an environmentally responsible manner.

Ocean Thermal Energy Conversion Act of 1980

42 U.S.C. §§ 9101, 9102, 9111-9127, 9141, 9151-9153, 9161-9163; 46 U.S.C. §§ 1271, 1273, 1274, 1279c

The act authorizes and regulates the construction, location, ownership, and operation of ocean thermal energy conversion facilities connected to the U.S. by pipeline or cable, or located in whole or in part between the highwater mark and the seaward boundary of the U.S. territorial sea. NOAA licenses the facilities.

Infrastructure

Education and Research

National Environmental Education Act

20 U.S.C. §§ 5501-5510

The act establishes and provides support for a program of education on the environment through activities in schools and the encouragement of careers related to the environment.

National Geologic Mapping Reauthorization Act of 1997

43 U.S.C. §§ 31a note, 31b-31h

The act expedites the production of a geologic-map database for the Nation, to be located within the U.S. Geological Survey, which can be applied to land-use management, assessment, and utilization; conservation of natural resources; groundwater management; and environmental protection.

Ports and Transportation

Boat Safety Act

46 U.S.C. §§ 12301-12309

The act requires that all undocumented vessels equipped with propulsion equipment of any kind shall have a licensing number issued by the appropriate agency of the State in which the vessel is principally operated, and that all undocumented barges more than 100 gross tons operating in the navigable waters of the United States be numbered.

Coast and Geodetic Survey Commissioned Officers' Act of 1961

33 U.S.C. §§ 853a, 853e, 853j-853l, 853s, 853t

The act establishes the system by which officers aboard coastal survey vessels are to be promoted and/or replaced.

Commercial Fishing Industry Vessel Safety Act of 1988

46 U.S.C. §§ 2101, 3102, 3701, 4101, 4102, 4501-4508, 6103, 6104, 7101, 10601-10603; 46 U.S.C. app. §§ 531-534

The act provides safety regulations and standards to be applied to commercial fishing vessels by the Secretary of Transportation. The act also establishes standards by which fishing vessels must adhere to while on fishing voyages.

Inland Navigation Rules Act of 1980

33 U.S.C. §§ 151, 1604, 1605, 1608, 2001-2038, 2071-2073

The act calls for the promulgation of Rules of Navigation, enforceable against anyone who undertakes to operate a vessel, regardless of size and speed, upon the navigable waters of the U.S.

Limitation of Liability Act (Bill of Lading Act, Carriage of Goods by Sea, Carrier's Act)

46 U.S.C. §§ 1300-1315

The act limits the liability of a carrier of goods by sea to specific dollar amounts per package.

Longshore and Harbor Workers' Compensation Act

33 U.S.C. §§ 901-945, 947-950

The act establishes a system by which employees injured while performing duties aboard a maritime vessel may be awarded compensation for those injuries. The Secretary of Labor administers the provisions of this act.

Ocean Shipping Reform Act of 1998

46 U.S.C. app. §§ 1701-1704, 1708, 1709b, 1710, 1712, 1714, 1715, 1718, 1719

The Reform Act amends The Shipping Act of 1984 to promote the growth and development of U.S. exports through competitive and efficient ocean transportation and by placing greater reliance on the marketplace.

Sportsfishing and Boating Safety Act of 1998

16 U.S.C. §§ 777 note, 777a, 777b, 777g-l; 46 U.S.C. §§ 13104, 13106

The act amends 16 U.S.C. § 777 to include: outreach and communications efforts for safety in fishing and boating; a 'National Framework' survey to assess public access by the Secretary of Interior; and funding to improve boating safety.

Tank Vessel Act

46 U.S.C. §§ 3301, 3702

The act establishes inspection requirements for seagoing vessels to ensure safety of the vessel and crew under the Secretary of Transportation.

Wreck Act

33 U.S.C. §§ 409-415

The act prohibits the anchoring or tying of vessels or other craft in navigable waters in a manner that prevents or obstructs passage of other vessels or craft. Also, the act places a duty on an owner, lessee, or operator of a vessel, raft or other craft that has sunk in a navigable channel to mark the wreck with a buoy or beacon, to maintain such marker until the wreck is removed or abandoned, and to begin the removal process immediately.

Resource Assessment

Hydrographic Services Improvement Act of 1998

33 U.S.C. §§ 851, 892, 892a-892d

The act requires NOAA to acquire and disseminate hydrographic data, promulgate standards for the collection of hydrographic data, and make this information easily obtainable.

Polar Policy

Arctic Research and Policy Act of 1984

15 U.S.C. §§ 4101-4110

The act establishes the Arctic Research Commission in order to provide a plan for research of natural resources, biological and health sciences with respect to the Arctic environment.

Communications

International Maritime Satellite Telecommunications Act

47 U.S.C. §§ 751-757

The act provides for the participation of the U.S. in the International Maritime Satellite Organization (“INMARSAT”) to develop and operate a global maritime satellite telecommunications system, which will serve maritime commercial and safety needs of the U.S. and foreign countries.

Security Issues

Coast Guard

Coast Guard Act

14 U.S.C. §§ 1 - 894

The act establishes the Coast Guard and explains its operation as a service in the Navy, personnel requirements, and scope of authorizations.

Regulatory Reform Act of 1996

46 U.S.C. §§ 3201-3205

The act directs a study and report on methods to implement and enforce the International

Management Code for the Safe Operation of Ships and for Pollution Prevention, including a safety and environmental protection policy and a certification program.

Coast Guard Omnibus Act of 1990

14 U.S.C. §§ 194, 663, 667, 668; 15 U.S.C. §§ 313; 33 U.S.C. § 59aa; 46 U.S.C. §§ 3302, 8502, 13101-13103, 13105, 13108, 14301

The act amended various statutes including the exemption of the dredging of federal pilotage channels from the normal requirements for such activities.

General Security Issues

Act to Provide for Seizure and Forfeiture of Carriers Transporting Contraband Articles

49 U.S.C. §§ 80301-80306

The act makes it illegal to carry contraband in an aircraft, vehicle, or vessel and authorizes the seizure of any vessel or vehicle caught carrying contraband by the Secretary of Transportation.

Admiralty

Admiralty Extension Act of 1948

14 U.S.C. §§821, 823a; 28 U.S.C. §§ 1331, 1333; 46 U.S.C. app. §§ 740, 745

The act extends admiralty jurisdiction to all cases for damages to person or property caused by a vessel in navigable waters.

Clean Vessel Act of 1992

33 U.S.C. § 1322 note

The act is designed to provide funds to States for the construction, renovation, operation, and maintenance of pumpout stations and waste reception facilities. The Secretary of Interior has authority to approve State plans for the facilities.

Death on the High Seas Act

46 U.S.C. app. §§ 761-768

The act provides that whenever the death of a person shall be caused by a wrongful act, neglect, or default occurring on the high seas beyond a marine league from the shore of any State, or the District of Columbia, or the Territories or dependencies of the U.S., the personal representative of the decedent may maintain a suit for damages in U.S. district courts, in admiralty, for the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relative against the vessel, person, or corporation which would have been liable if death had not ensued.

Harter Act

46 U.S.C. app. §§ 190-196

The act prevents carriers of goods by sea from exempting themselves from liability through the use of bills of lading. Carriers are no longer free from liability based solely on shipping agreements.

Hazardous Materials Transportation Act

49 U.S.C. §§ 5101-5127

The act authorizes the Secretary of Transportation to provide protection against risks to life and property inherent in the transportation of hazardous materials in commerce through regulation and enforcement provisions.

Jones Act

46 U.S.C. app. § 688

The act provides remedies for seamen's injuries that occur during employment on a vessel in navigation.

Public Vessel Act

46 U.S.C. app. §§ 781-790

The PVA provides authority for bringing an admiralty cause of action against the U.S. for damages caused by U.S. public vessels and waives sovereign immunity for those cases.

Ship Mortgage Act of 1920

46 U.S.C. §§ 31321-31330

The act requires that a bill of sale, conveyance, mortgage, or assignment of a vessel be filed with the Secretary of Transportation and authorizes regulation of ship mortgages.

The Shipping Acts

46 U.S.C. app. §§ 801-842 (1916), 1701-1720 (1984)

The act of 1916 governs transportation by water of passengers and property on the high seas or Great Lakes between States, territories, districts or possessions. The act of 1984 governs foreign commerce, in effect, to establish a non-discriminatory regulatory process for the regulation of carriage of goods by water.

Suits in Admiralty Act

46 U.S.C. app. §§ 741-752

The act provides that a vessel owned by the U.S. may not be seized or arrested through the judicial process but substitutes the action in rem with an action in personam.

U.S. Public Vessel Medical Waste Anti-Dumping Act of 1998

33 U.S.C. §§ 2501-2504

The act prohibits public vessels from disposing of potentially infectious medical waste into ocean waters, and calls for the Secretary of Defense and the heads of other affected agencies, in consultation with the Administrator of the EPA, to issue guidance to their vessels in implementing the provisions of this section.

Merchant Marine

Maritime Education and Training Act of 1980

46 U.S.C. app. §§ 1119, 1126a-1, 1126b, 1126b-1, 1126d, 1244, 1295-1295f

The act authorizes the Secretary of Commerce to establish and maintain the U.S. Maritime Service which is responsible for the training of voluntary citizens as licensed and unlicensed personnel aboard American merchant vessels.

Merchant Marine Act of 1936

46 U.S.C. §§ app. 1101-1294

The act provides multiple provisions to be controlled by the Federal Maritime Commission and the Secretary of Commerce in order to encourage the development and maintenance of the merchant marine.