

Interagency Marine Debris Coordinating Committee Charter

ESTABLISHMENT

The Interagency Marine Debris Coordinating Committee (IMDCC) is established by the Marine Debris Act, 33 U.S.C. 1954, as amended.

PURPOSE

The IMDCC shall consider and address marine debris, defined as "persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment or the Great Lakes" (Marine Debris Act, 33 U.S.C. 1956(3)), including consideration of potential adverse impacts on the United States economy, the marine environment, and navigation safety.

The IMDCC is primarily responsible for sharing information, assessing and promoting best management practices, and coordinating interagency responses to marine debris. Collaborative efforts to address marine debris are encouraged for participating members.

Any approaches developed by the IMDCC will be consistent with, and will not conflict with or purport to supplant, any United States obligations under international law, including under international agreements to which the United States is a party. Specific aims, responsibilities, and actions of the IMDCC are listed in the following sections.

FUNCTIONS

The IMDCC will coordinate a comprehensive program of marine debris research and activities among Federal agencies.

The IMDCC may recommend priorities and strategies to identify, determine sources of, assess, reduce, prevent, and remove marine debris, and mitigate its adverse impact on the economy of the United States, the marine environment, and navigation safety.

The IMDCC will cooperate and coordinate with non-governmental organizations, industry, universities and research institutions, State governments, Indian tribes and other nations, as appropriate.

The IMDCC may provide advice and recommendations as part of the development of U.S. government positions in order to advance national interests on marine debris in international fora and encourage international action to reduce marine debris.

Per 33 U.S.C. 1954(e), the IMDCC will submit biennial progress reports to the U.S. Senate

Committee on Commerce, Science, and Transportation and Infrastructure and the U.S. House of Representatives Committee on Natural Resources.

MEMBERSHIP

A. COMMITTEE CHAIR AND AGENCY REPRESENTATIVES

NOAA serves as Chairperson of the IMDCC.

The IMDCC shall include a senior official from each of the Federal agencies named in 33 U.S.C. 1954:

- the National Oceanic and Atmospheric Administration;
- the Environmental Protection Agency;
- the United States Coast Guard;
- the United States Navy;
- the Department of State;
- the Department of Interior; and
- such other Federal agencies that have an interest in ocean issues or water pollution prevention and control as the Secretary of Commerce determines appropriate.

B. SENIOR OFFICIALS

Primary and alternative representatives to the IMDCC shall be senior officials in their respective agencies. Senior official is defined for the purposes of this Committee as an official with (i) decision-making authority for their respective agency's programs, projects, or activities relevant to the IMDCC and (ii) a substantial connection to their respective agency's budget process for programs, projects, or activities relevant to the IMDCC. The second criterion may be satisfied if the official has knowledge of their respective agency's budget process and the ability to provide input or suggest projects or activities for funding.

C. MEMBERSHIP PROCESS

Each department or agency expressly named in 33 U.S.C. 1954 should designate in writing the names of a primary and an alternate representative to represent their department/agency on the Committee, and transmit these designations to the NOAA Chairperson of the Committee along with a short description of how the named representatives have the status of "senior official." Departments named in 33 U.S.C. 1954 may, at their discretion, designate separate primary and alternate representatives for each operating unit/bureau within the department (for example, U.S. National Park Service and U.S. Fish and Wildlife Service within the Department of the Interior) with an interest in marine debris issues, as long as the representatives identified meet the qualifications for "senior official" described above.

As authorized by 33 U.S.C. 1954(b)(7), such other Federal agencies that have an interest in ocean issues or water pollution prevention and control may serve on the IMDCC as the Secretary of Commerce determines appropriate. These other Federal agencies may nominate in writing to the NOAA Chairperson a representative and an alternate to serve on the IMDCC for

the approval of the Secretary of Commerce, or delegated official. The nomination should detail how the agency requesting membership has an interest in ocean issues or water pollution prevention and control, with a specific discussion of the agency's relevant connections to marine debris, such as funding for marine debris programs, projects, or activities. The nomination should also detail the nominated representative's and alternate's relevant status as a senior official, as defined above.

Upon receipt of the nomination package, the Secretary of Commerce or the Secretary's delegate will consider the package and issue a determination in writing whether or not membership of the nominated Federal agency on the Committee is appropriate. If the Secretary or delegate determines membership to be appropriate, the nominated agency will become a member of the Committee, effective immediately.

MEETINGS

As required by 33 U.S.C. 1954, the IMDCC shall meet at least twice a year. The IMDCC may meet more frequently, as appropriate. At least two of the IMDCC meetings each year shall be open to the public through public notice on the MDP website and a teleconference option for public attendance.

In addition to senior officials, meetings may be attended by agency staff in observer and support capacities.

STRATEGIC GUIDANCE

If the IMDCC determines appropriate, the IMDCC may convene a meeting of higher-level leadership of the member departments and agencies of the IMDCC. The purpose of such meeting would be to provide strategic guidance and vision to the IMDCC.

WORKING GROUPS

The IMDCC may identify smaller ad hoc working groups to address specific issues. These ad hoc working groups may develop recommendations and/or action plans, or undertake other activities to fulfill their particular mandate. Ad hoc working groups can consist of representatives or staff of member agencies of the IMDCC and/or designated experts from Federal agencies that are not members of the IMDCC. The working groups may receive individual input from non-Federal experts or other members of the public. The input will only consist of individual advice, and the non-Federal experts or other members of the public will not be members of the working group nor will they take part in providing the group's recommendations to the IMDCC. Working groups may meet more frequently than the full IMDCC, as needed to accomplish the purpose and functions of the IMDCC.

ROLES AND RESPONSIBILITIES

A. CHAIR

The duties of the Chair include:

- Calling all IMDCC meetings;
- Preparing and approving all meeting agendas;
- Attending all meetings;
- Adjourning all meetings;
- Approving the creation of Working Groups; and
- Supervising the activities of all Working Groups.

B. VICE-CHAIR

The Vice-Chair will fulfill the duties of the Chair if the Chair is absent.

C. EXECUTIVE SECRETARIAT

The NOAA Marine Debris Program will function as the IMDCC Executive Secretariat. The duties of the Executive Secretariat include:

- Organizing IMDCC meetings, including scheduling, developing the agenda and any required materials for the IMDCC meetings, taking the official meeting notes, following up on actions proposed during the meeting, and other activities as appropriate;
- Maintaining contact information for the primary and alternate agency representatives to the IMDCC, including the Working Groups;
- Leading the production and submission of the biennial report to Congress; and
- Maintaining a repository of IMDCC documents.

D. REPRESENTATIVES

The duties of primary and alternate representatives to the IMDCC include:

- Attending at least two public IMDCC meetings per year, as required by 33 U.S.C. 1954;
- For additional IMDCC meetings (i.e., beyond the two public meetings each year that the senior official representatives are expected to attend), ensuring appropriate agency representation if the designated primary and alternate senior officials are not able to attend;
- Representing the full scope of the marine debris programs, projects, and activities of their respective agency;
- Providing updates on the marine debris programs, projects, and activities of their respective agency; and
- Submitting content for the biennial report to Congress.

E. AGENCY STAFF

Agency staff that do not meet the definition of senior official and are not the designated primary or alternate representative may attend IMDCC meetings in observer and support capacities.

Agency staff may also participate in Working Groups, as appropriate.

REVIEW OF THE CHARTER

The IMDCC Charter will be reviewed and updated as appropriate at least every five years. The Appendix documenting the official committee membership will be updated as needed.

FILING DATE: August 21, 2020

APPENDIX: IMDCC MEMBERSHIP

STATUTORY MEMBER AGENCIES

National Oceanic and Atmospheric Administration (Chair)

Environmental Protection Agency

United States Coast Guard

United States Navy

Department of State

Department of the Interior

Participating Bureaus:

- Bureau of Safety and Environmental Enforcement
- U.S. Fish and Wildlife Service
- National Park Service

NON-STATUTORY MEMBER AGENCIES

Agency or Bureau: U.S. Agency for International Development

Date: August 27, 2020

Agency or Bureau: Marine Mammal Commission

Date: October 14, 2020

Agency or Bureau: National Science Foundation

Date: February 24, 2021

Agency or Bureau: Department of Justice, Environment and Natural Resources Division

Date: May 3, 2021

Agency or Bureau: National Aeronautics and Space Administration

Date: August 23, 2021

Agency or Bureau: Department of Energy

Date: March 21, 2022