

In the House of Representatives, U. S.,

October 1, 2020.

Resolved, That the bill from the Senate (S. 1982) entitled “An Act to improve efforts to combat marine debris, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the*
3 *“Save Our Seas 2.0 Act”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
5 *Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—COMBATING MARINE DEBRIS

Subtitle A—Amendments to the Marine Debris Act

Sec. 101. Amendments to the Marine Debris Act.

Subtitle B—Marine Debris Foundation

Sec. 111. Establishment and purposes of Foundation.

Sec. 112. Board of Directors of the Foundation.

Sec. 113. Rights and obligations of the Foundation.

Sec. 114. Administrative services and support.

Sec. 115. Volunteer status.

Sec. 116. Report requirements; petition of attorney general for equitable relief.

Sec. 117. United States release from liability.

Sec. 118. Authorization of appropriations.

Sec. 119. Termination of authority.

Subtitle C—Genius Prize for Save Our Seas Innovations

Sec. 121. Definitions.

Sec. 122. Genius Prize for Save Our Seas Innovations.

- Sec. 123. Agreement with the Marine Debris Foundation.*
Sec. 124. Judges.
Sec. 125. Report to Congress.
Sec. 126. Authorization of appropriations.
Sec. 127. Termination of authority.

Subtitle D—Studies, Pilot Projects, and Reports

- Sec. 131. Report on opportunities for innovative uses of plastic waste.*
Sec. 132. Report on microfiber pollution.
Sec. 133. Study on United States plastic pollution data.
Sec. 134. Study on mass balance methodologies to certify circular polymers.
Sec. 135. Report on sources and impacts of derelict fishing gear.
Sec. 136. Expansion of derelict vessel recycling.
Sec. 137. Incentive for fishermen to collect and dispose of plastic found at sea.

TITLE II—ENHANCED GLOBAL ENGAGEMENT TO COMBAT MARINE DEBRIS

- Sec. 201. Statement of policy on international cooperation to combat marine debris.*
Sec. 202. Prioritization of efforts and assistance to combat marine debris and improve plastic waste management.
Sec. 203. United States leadership in international fora.
Sec. 204. Enhancing international outreach and partnership of United States agencies involved in marine debris activities.
Sec. 205. Negotiation of new international agreements.
Sec. 206. Consideration of marine debris in negotiating international agreements.

TITLE III—IMPROVING DOMESTIC INFRASTRUCTURE TO PREVENT MARINE DEBRIS

- Sec. 301. Strategy for improving post-consumer materials management and water management.*
Sec. 302. Grant programs.
Sec. 303. Study on repurposing plastic waste in infrastructure.
Sec. 304. Study on effects of microplastics in food supplies and sources of drinking water.
Sec. 305. Report on eliminating barriers to increase the collection of recyclable materials.
Sec. 306. Report on economic incentives to spur development of new end-use markets for recycled plastics.
Sec. 307. Report on minimizing the creation of new plastic waste.

1 SEC. 2. DEFINITIONS.

2 *In this Act:*

3 (1) CIRCULAR ECONOMY.—*The term “circular*
4 *economy” means an economy that uses a systems-foc-*
5 *used approach and involves industrial processes and*
6 *economic activities that—*

1 (A) are restorative or regenerative by de-
2 sign;

3 (B) enable resources used in such processes
4 and activities to maintain their highest values
5 for as long as possible; and

6 (C) aim for the elimination of waste
7 through the superior design of materials, prod-
8 ucts, and systems (including business models).

9 (2) *EPA ADMINISTRATOR*.—The term “EPA Ad-
10 ministrators” means the Administrator of the Envi-
11 ronmental Protection Agency.

12 (3) *INDIAN TRIBE*.—The term “Indian Tribe”
13 has the meaning given the term “Indian tribe” in sec-
14 tion 4 of the Indian Self-Determination and Edu-
15 cation Assistance Act (25 U.S.C. 5304), without re-
16 gard to capitalization.

17 (4) *INTERAGENCY MARINE DEBRIS COORDI-*
18 *NATING COMMITTEE*.—The term “Interagency Marine
19 Debris Coordinating Committee” means the Inter-
20 agency Marine Debris Coordinating Committee estab-
21 lished under section 5 of the Marine Debris Act (33
22 U.S.C. 1954).

23 (5) *MARINE DEBRIS*.—The term “marine debris”
24 has the meaning given that term in section 7 of the
25 Marine Debris Act (33 U.S.C. 1956).

(6) *MARINE DEBRIS EVENT*.—The term “marine debris event” means an event or related events that affects or may imminently affect the United States involving—

(A) marine debris caused by a natural event, including a tsunami, flood, landslide, hurricane, or other natural source;

(B) distinct, nonrecurring marine debris, including derelict vessel groundings and container spills, that have immediate or long-term impacts on habitats with high ecological, economic, or human-use values; or

(C) marine debris caused by an intentional or grossly negligent act or acts that causes substantial economic or environmental harm.

(7) *NON-FEDERAL FUNDS*.—The term “non-Federal funds” means funds provided by—

(A) a State;

(B) an Indian Tribe;

(C) a territory of the United States;

(D) one or more units of local governments or Tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(E) a foreign government;

1 (F) a private for-profit entity;

2 (G) a nonprofit organization; or

3 (H) a private individual.

4 (8) *NONPROFIT ORGANIZATION.*—The term “non-
5 profit organization” means an organization that is
6 described in section 501(c) of the Internal Revenue
7 Code of 1986 and exempt from tax under section
8 501(a) of such Code.

9 (9) *POST-CONSUMER MATERIALS MANAGE-*
10 *MENT.*—The term “post-consumer materials manage-
11 ment” means the systems, operation, supervision, and
12 long-term management of processes and equipment
13 used for post-use material (including packaging,
14 goods, products, and other materials), including—

15 (A) collection;

16 (B) transport;

17 (C) safe disposal of waste that cannot be re-
18 covered, reused, recycled, repaired, or refur-
19 bished; and

20 (D) systems and processes related to post-
21 use materials that can be recovered, reused, recy-
22 cled, repaired, or refurbished.

23 (10) *STATE.*—The term “State” means—

24 (A) a State;

25 (B) an Indian Tribe;

1 (C) the District of Columbia;

2 (D) a territory or possession of the United
3 States; or

4 (E) any political subdivision of an entity
5 described in subparagraphs (A) through (D).

6 (11) UNDER SECRETARY.—The term “Under
7 Secretary” means the Under Secretary of Commerce
8 for Oceans and Atmosphere and Administrator of the
9 National Oceanic and Atmospheric Administration.

10 ***TITLE I—COMBATING MARINE*** 11 ***DEBRIS***

12 ***Subtitle A—Amendments to the*** 13 ***Marine Debris Act***

14 ***SEC. 101. AMENDMENTS TO THE MARINE DEBRIS ACT.***

15 *The Marine Debris Act (33 U.S.C. 1951 et seq.) is*
16 *amended—*

17 (1) in section 2 by striking “marine environ-
18 ment,” and inserting “marine environment (includ-
19 ing waters in the jurisdiction of the United States,
20 the high seas, and waters in the jurisdiction of other
21 countries),”;

22 (2) in section 9(a)—

23 (A) by striking “\$10,000,000” and inserting
24 “\$15,000,000”; and

1 (B) by striking “5 percent” and inserting
2 “7 percent”; and

3 (3) by adding at the end the following:

4 **“SEC. 10. PRIORITIZATION OF MARINE DEBRIS IN EXISTING**
5 **INNOVATION AND ENTREPRENEURSHIP PRO-**
6 **GRAMS.**

7 *“In carrying out any relevant innovation and entre-*
8 *preneurship programs that improve the innovation, effec-*
9 *tiveness, and efficiency of the Marine Debris Program estab-*
10 *lished under section 3 without undermining the purpose for*
11 *which such program was established, the Secretary of Com-*
12 *merce, the Secretary of Energy, the Administrator of the*
13 *Environmental Protection Agency, and the heads of other*
14 *relevant Federal agencies, shall prioritize efforts to combat*
15 *marine debris, including by—*

16 *“(1) increasing innovation in methods and the*
17 *effectiveness of efforts to identify, determine sources of,*
18 *assess, prevent, reduce, and remove marine debris;*
19 *and*

20 *“(2) addressing the impacts of marine debris*
21 *on—*

22 *“(A) the economy of the United States;*

23 *“(B) the marine environment; and*

24 *“(C) navigation safety.”.*

***Subtitle B—Marine Debris
Foundation***

SEC. 111. ESTABLISHMENT AND PURPOSES OF FOUNDATION.

(a) ESTABLISHMENT.—There is established the Marine Debris Foundation (in this title referred to as the “Foundation”). The Foundation is a charitable and nonprofit organization and is not an agency or establishment of the United States.

(b) PURPOSES.—The purposes of the Foundation are—

(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and services of the National Oceanic and Atmospheric Administration under the Marine Debris Program established under section 3 of the Marine Debris Act (33 U.S.C. 1952), and other relevant programs and agencies;

(2) to undertake and conduct such other activities as will augment efforts of the National Oceanic and Atmospheric Administration to assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris on the economy of the United States, the marine environment, and navigation safety;

1 (3) *to participate with, and otherwise assist,*
 2 *State, local, and Tribal governments, foreign govern-*
 3 *ments, entities, and individuals in undertaking and*
 4 *conducting activities to assess, prevent, reduce, and*
 5 *remove marine debris and address the adverse im-*
 6 *pacts of marine debris and its root causes on the*
 7 *economy of the United States, the marine environ-*
 8 *ment (including waters in the jurisdiction of the*
 9 *United States, the high seas, and waters in the juris-*
 10 *isdiction of other countries), and navigation safety;*

11 (4) *subject to an agreement with the Secretary of*
 12 *Commerce, administer the Genius Prize for Save Our*
 13 *Seas Innovation as described in title II; and*

14 (5) *to support other Federal actions to reduce*
 15 *marine debris.*

16 **SEC. 112. BOARD OF DIRECTORS OF THE FOUNDATION.**

17 (a) *ESTABLISHMENT AND MEMBERSHIP.—*

18 (1) *IN GENERAL.—The Foundation shall have a*
 19 *governing Board of Directors (in this title referred to*
 20 *as the “Board”), which shall consist of the Under Sec-*
 21 *retary and 12 additional Directors appointed in ac-*
 22 *cordance with subsection (b) from among individuals*
 23 *who are United States citizens.*

24 (2) *REPRESENTATION OF DIVERSE POINTS OF*
 25 *VIEW.—To the maximum extent practicable, the mem-*

bership of the Board shall represent diverse points of view relating to the assessment, prevention, reduction, and removal of marine debris.

(3) *NOT FEDERAL EMPLOYEES.*—Appointment as a Director of the Foundation shall not constitute employment by, or the holding of an office of, the United States for the purpose of any Federal law.

(b) *APPOINTMENT AND TERMS.*—

(1) *APPOINTMENT.*—Subject to paragraph (2), after consulting with the EPA Administrator, the Director of the United States Fish and Wildlife Service, the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, and the Administrator of the United States Agency for International Development, and considering the recommendations submitted by the Board, the Under Secretary shall appoint 12 Directors who meet the criteria established by subsection (a), of whom—

(A) at least 4 shall be educated or experienced in the assessment, prevention, reduction, or removal of marine debris, which may include an individual with expertise in post-consumer materials management or a circular economy;

1 (B) at least 2 shall be educated or experi-
 2 enced in the assessment, prevention, reduction, or
 3 removal of marine debris outside the United
 4 States;

5 (C) at least 2 shall be educated or experi-
 6 enced in ocean and coastal resource conservation
 7 science or policy; and

8 (D) at least 2 shall be educated or experi-
 9 enced in international trade or foreign policy.

10 (2) *TERMS.*—

11 (A) *IN GENERAL.*—Any Director appointed
 12 after the initial appointments are made under
 13 subparagraph (B) (other than the Under Sec-
 14 retary), shall be appointed for a term of 6 years.

15 (B) *INITIAL APPOINTMENTS TO NEW MEM-*
 16 *BER POSITIONS.*—Of the Directors appointed by
 17 the Under Secretary under paragraph (1), the
 18 Under Secretary shall appoint, not later than
 19 180 days after the date of the enactment of this
 20 Act—

21 (i) 4 Directors for a term of 6 years;

22 (ii) 4 Directors for a term of 4 years;

23 and

24 (iii) 4 Directors for a term of 2 years.

25 (3) *VACANCIES.*—

1 (A) *IN GENERAL.*—*The Under Secretary*
 2 *shall fill a vacancy on the Board.*

3 (B) *TERM OF APPOINTMENTS TO FILL UN-*
 4 *EXPIRED TERMS.*—*An individual appointed to*
 5 *fill a vacancy that occurs before the expiration*
 6 *of the term of a Director shall be appointed for*
 7 *the remainder of the term.*

8 (4) *REAPPOINTMENT.*—*An individual shall not*
 9 *serve more than 2 consecutive terms as a Director, ex-*
 10 *cluding any term of less than 6 years.*

11 (5) *CONSULTATION BEFORE REMOVAL.*—*The*
 12 *Under Secretary may remove a Director from the*
 13 *Board only after consultation with the Assistant Sec-*
 14 *retary of State for the Bureau of Oceans and Inter-*
 15 *national Environmental and Scientific Affairs, the*
 16 *Director of the United States Fish and Wildlife Serv-*
 17 *ice, and the EPA Administrator.*

18 (c) *CHAIRMAN.*—*The Chairman shall be elected by the*
 19 *Board from its members for a 2-year term.*

20 (d) *QUORUM.*—*A majority of the current membership*
 21 *of the Board shall constitute a quorum for the transaction*
 22 *of business.*

23 (e) *MEETINGS.*—*The Board shall meet at the call of*
 24 *the Chairman at least once a year. If a Director misses*
 25 *3 consecutive regularly scheduled meetings, that individual*

1 *may be removed from the Board and that vacancy filled*
 2 *in accordance with subsection (b).*

3 (f) *REIMBURSEMENT OF EXPENSES.—Members of the*
 4 *Board shall serve without pay, but may be reimbursed for*
 5 *the actual and necessary traveling and subsistence expenses*
 6 *incurred by them in the performance of the duties of the*
 7 *Foundation.*

8 (g) *GENERAL POWERS.—*

9 (1) *IN GENERAL.—The Board may complete the*
 10 *organization of the Foundation by—*

11 (A) *appointing officers and employees;*

12 (B) *adopting a constitution and bylaws*
 13 *consistent with the purposes of the Foundation*
 14 *and the provisions of this title; and*

15 (C) *undertaking of other such acts as may*
 16 *be necessary to carry out the provisions of this*
 17 *title.*

18 (2) *LIMITATIONS ON APPOINTMENT.—The fol-*
 19 *lowing limitations apply with respect to the appoint-*
 20 *ment of officers and employees of the Foundation:*

21 (A) *Officers and employees may not be ap-*
 22 *pointed until the Foundation has sufficient funds*
 23 *to pay them for their service. Officers and em-*
 24 *ployees of the Foundation shall be appointed*
 25 *without regard to the provisions of title 5,*

1 *United States Code, governing appointments in*
 2 *the competitive service, and may be paid without*
 3 *regard to the provisions of chapter 51 and sub-*
 4 *chapter III of chapter 53 of such title relating to*
 5 *classification and General Schedule pay rates.*

6 *(B) The first officer or employee appointed*
 7 *by the Board shall be the Secretary of the Board*
 8 *who—*

9 *(i) shall serve, at the direction of the*
 10 *Board, as its chief operating officer; and*

11 *(ii) shall be knowledgeable and experi-*
 12 *enced in matters relating to the assessment,*
 13 *prevention, reduction, and removal of ma-*
 14 *rine debris.*

15 **SEC. 113. RIGHTS AND OBLIGATIONS OF THE FOUNDATION.**

16 *(a) IN GENERAL.—The Foundation—*

17 *(1) shall have perpetual succession;*

18 *(2) may conduct business throughout the several*
 19 *States, territories, and possessions of the United*
 20 *States and abroad; and*

21 *(3) shall at all times maintain a designated*
 22 *agent authorized to accept service of process for the*
 23 *Foundation.*

24 *(b) SERVICE OF PROCESS.—The serving of notice to,*
 25 *or service of process upon, the agent required under sub-*

1 *section (a)(3), or mailed to the business address of such*
 2 *agent, shall be deemed as service upon or notice to the Foun-*
 3 *dation.*

4 *(c) POWERS.—*

5 *(1) IN GENERAL.—To carry out its purposes*
 6 *under section 111, the Foundation shall have, in ad-*
 7 *dition to the powers otherwise given it under this*
 8 *title, the usual powers of a corporation acting as a*
 9 *trustee in the District of Columbia, including the*
 10 *power—*

11 *(A) to accept, receive, solicit, hold, admin-*
 12 *ister, and use any gift, devise, or bequest, either*
 13 *absolutely or in trust, of real or personal prop-*
 14 *erty or any income therefrom or other interest*
 15 *therein;*

16 *(B) to acquire by purchase or exchange any*
 17 *real or personal property or interest therein;*

18 *(C) to invest any funds provided to the*
 19 *Foundation by the Federal Government in obli-*
 20 *gations of the United States or in obligations or*
 21 *securities that are guaranteed or insured by the*
 22 *United States;*

23 *(D) to deposit any funds provided to the*
 24 *Foundation by the Federal Government into ac-*

1 *counts that are insured by an agency or instru-*
2 *mentality of the United States;*

3 *(E) to make use of any interest or invest-*
4 *ment income that accrues as a consequence of ac-*
5 *tions taken under subparagraph (C) or (D) to*
6 *carry out the purposes of the Foundation;*

7 *(F) to use Federal funds to make payments*
8 *under cooperative agreements to provide substan-*
9 *tial long-term benefits for the assessment, preven-*
10 *tion, reduction, and removal of marine debris;*

11 *(G) unless otherwise required by the instru-*
12 *ment of transfer, to sell, donate, lease, invest, re-*
13 *invest, retain or otherwise dispose of any prop-*
14 *erty or income therefrom;*

15 *(H) to borrow money and issue bonds, de-*
16 *bentures, or other debt instruments;*

17 *(I) to sue and be sued, and complain and*
18 *defend itself in any court of competent jurisdic-*
19 *tion, except that the Directors of the Foundation*
20 *shall not be personally liable, except for gross*
21 *negligence;*

22 *(J) to enter into contracts or other arrange-*
23 *ments with, or provide financial assistance to,*
24 *public agencies and private organizations and*

1 *persons and to make such payments as may be*
 2 *necessary to carry out its functions; and*

3 *(K) to do any and all acts necessary and*
 4 *proper to carry out the purposes of the Founda-*
 5 *tion.*

6 (2) *NON-FEDERAL CONTRIBUTIONS TO THE*
 7 *FUND.—A gift, devise, or bequest may be accepted by*
 8 *the Foundation without regard to whether the gift, de-*
 9 *vide, or bequest is encumbered, restricted, or subject to*
 10 *beneficial interests of private persons if any current*
 11 *or future interest in the gift, devise, or bequest is for*
 12 *the benefit of the Foundation.*

13 (d) *NOTICE TO MEMBERS OF CONGRESS.—The Foun-*
 14 *dation may not make a grant of Federal funds in an*
 15 *amount greater than \$100,000 unless, by not later than 15*
 16 *days before the grant is made, the Foundation provides no-*
 17 *tice of the grant to the Member of Congress for the congres-*
 18 *sional district in which the project to be funded with the*
 19 *grant will be carried out.*

20 (e) *COORDINATION OF INTERNATIONAL EFFORTS.—*
 21 *Any efforts of the Foundation carried out in a foreign coun-*
 22 *try, and any grants provided to an individual or entity*
 23 *in a foreign country, shall be made only with the concur-*
 24 *rence of the Secretary of State, in consultation, as appro-*

1 *priate, with the Administrator of the United States Agency*
 2 *for International Development.*

3 (f) *CONSULTATION WITH NOAA.—The Foundation*
 4 *shall consult with the Under Secretary during the planning*
 5 *of any restoration or remediation action using funds result-*
 6 *ing from judgments or settlements relating to the damage*
 7 *to trust resources of the National Oceanic and Atmospheric*
 8 *Administration.*

9 **SEC. 114. ADMINISTRATIVE SERVICES AND SUPPORT.**

10 (a) *PROVISION OF SERVICES.—The Under Secretary*
 11 *may provide personnel, facilities, and other administrative*
 12 *services to the Foundation, including reimbursement of ex-*
 13 *penses, not to exceed the current Federal Government per*
 14 *diem rates, for a period of up to 5 years beginning on the*
 15 *date of the enactment of this Act.*

16 (b) *REIMBURSEMENT.—The Under Secretary shall re-*
 17 *quire reimbursement from the Foundation for any adminis-*
 18 *trative service provided under subsection (a). The Under*
 19 *Secretary shall deposit any reimbursement received under*
 20 *this subsection into the Treasury to the credit of the appro-*
 21 *priations then current and chargeable for the cost of pro-*
 22 *viding such services.*

23 **SEC. 115. VOLUNTEER STATUS.**

24 *The Secretary of Commerce may accept, without re-*
 25 *gard to the civil service classification laws, rules, or regula-*

1 tions, the services of the Foundation, the Board, and the
 2 officers and employees of the Board, without compensation
 3 from the Department of Commerce, as volunteers in the per-
 4 formance of the functions authorized in this title.

5 **SEC. 116. REPORT REQUIREMENTS; PETITION OF ATTOR-**
 6 **NEY GENERAL FOR EQUITABLE RELIEF.**

7 (a) *REPORT.*—The Foundation shall, as soon as prac-
 8 ticable after the end of each fiscal year, transmit to the
 9 Committee on Commerce, Science, and Transportation of
 10 the Senate and the Committee on Natural Resources, the
 11 Committee on Transportation and Infrastructure, and the
 12 Committee on Energy and Commerce of the House of Rep-
 13 resentatives a report—

14 (1) describing the proceedings and activities of
 15 the Foundation during that fiscal year, including a
 16 full and complete statement of its receipts, expendi-
 17 tures, and investments; and

18 (2) including a detailed statement of the recipi-
 19 ent, amount, and purpose of each grant made by the
 20 Foundation in the fiscal year.

21 (b) *RELIEF WITH RESPECT TO CERTAIN FOUNDATION*
 22 *ACTS OR FAILURE TO ACT.*—If the Foundation—

23 (1) engages in, or threatens to engage in, any
 24 act, practice, or policy that is inconsistent with its
 25 purposes set forth in section 111(b); or

1 (2) *refuses, fails, or neglects to discharge its obli-*
 2 *gations under this title, or threatens to do so,*
 3 *the Attorney General may petition in the United States*
 4 *District Court for the District of Columbia for such equi-*
 5 *table relief as may be necessary or appropriate.*

6 **SEC. 117. UNITED STATES RELEASE FROM LIABILITY.**

7 *The United States shall not be liable for any debts,*
 8 *defaults, acts, or omissions of the Foundation nor shall the*
 9 *full faith and credit of the United States extend to any obli-*
 10 *gation of the Foundation.*

11 **SEC. 118. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *AUTHORIZATION OF APPROPRIATIONS.—*

13 (1) *IN GENERAL.—There are authorized to be ap-*
 14 *propriated to the Department of Commerce to carry*
 15 *out this title \$10,000,000 for each of fiscal years 2021*
 16 *through 2024.*

17 (2) *USE OF APPROPRIATED FUNDS.—Subject to*
 18 *paragraph (3), amounts made available under para-*
 19 *graph (1) shall be provided to the Foundation to*
 20 *match contributions (whether in currency, services, or*
 21 *property) made to the Foundation, or to a recipient*
 22 *of a grant provided by the Foundation, by private*
 23 *persons and State and local government agencies.*

24 (3) *PROHIBITION ON USE FOR ADMINISTRATIVE*
 25 *EXPENSES.—*

1 (A) *IN GENERAL.*—*Except as provided in*
 2 *subparagraph (B), no Federal funds made avail-*
 3 *able under paragraph (1) may be used by the*
 4 *Foundation for administrative expenses of the*
 5 *Foundation, including for salaries, travel and*
 6 *transportation expenses, and other overhead ex-*
 7 *penses.*

8 (B) *EXCEPTION.*—*The Secretary may allow*
 9 *the use of Federal funds made available under*
 10 *paragraph (1) to pay for salaries during the 18-*
 11 *month period beginning on the date of the enact-*
 12 *ment of this Act.*

13 (b) *ADDITIONAL AUTHORIZATION.*—

14 (1) *IN GENERAL.*—*In addition to the amounts*
 15 *made available under subsection (a), the Foundation*
 16 *may accept Federal funds from a Federal agency*
 17 *under any other Federal law for use by the Founda-*
 18 *tion to further the assessment, prevention, reduction,*
 19 *and removal of marine debris in accordance with the*
 20 *requirements of this title.*

21 (2) *USE OF FUNDS ACCEPTED FROM FEDERAL*
 22 *AGENCIES.*—*Federal funds provided to the Founda-*
 23 *tion under paragraph (1) shall be used by the Foun-*
 24 *dation for matching, in whole or in part, contribu-*
 25 *tions (whether in currency, services, or property)*

1 *made to the Foundation by private persons and State*
 2 *and local government agencies.*

3 (c) *PROHIBITION ON USE OF GRANT AMOUNTS FOR*
 4 *LITIGATION AND LOBBYING EXPENSES.*—*Amounts provided*
 5 *as a grant by the Foundation shall not be used for—*

6 (1) *any expense related to litigation consistent*
 7 *with Federal-wide cost principles; or*

8 (2) *any activity the purpose of which is to influ-*
 9 *ence legislation pending before Congress consistent*
 10 *with Federal-wide cost principles.*

11 **SEC. 119. TERMINATION OF AUTHORITY.**

12 *The authority of the Foundation under this subtitle*
 13 *shall terminate on the date that is 10 years after the estab-*
 14 *lishment of the Foundation, unless the Foundation is reau-*
 15 *thorized by an Act of Congress.*

16 ***Subtitle C—Genius Prize for Save***
 17 ***Our Seas Innovations***

18 **SEC. 121. DEFINITIONS.**

19 *In this subtitle:*

20 (1) *PRIZE COMPETITION.*—*The term “prize com-*
 21 *petition” means the competition for the award of the*
 22 *Genius Prize for Save Our Seas Innovations estab-*
 23 *lished under section 122.*

24 (2) *SECRETARY.*—*The term “Secretary” means*
 25 *the Secretary of Commerce.*

1 **SEC. 122. GENIUS PRIZE FOR SAVE OUR SEAS INNOVA-**
 2 **TIONS.**

3 (a) *IN GENERAL.*—

4 (1) *IN GENERAL.*—Not later than 1 year after
 5 the date of the enactment of this Act, the Secretary
 6 shall establish under section 24 of the Stevenson-
 7 Wydler Technology Innovation Act of 1980 (15 U.S.C.
 8 3719) a prize competition—

9 (A) to encourage technological innovation
 10 with the potential to reduce plastic waste, and
 11 associated and potential pollution, and thereby
 12 prevent marine debris; and

13 (B) to award 1 or more prizes biennially
 14 for projects that advance human understanding
 15 and innovation in removing and preventing
 16 plastic waste, in one of the categories described
 17 in paragraph (2).

18 (2) *CATEGORIES FOR PROJECTS.*—The categories
 19 for projects are:

20 (A) *Advancements in materials used in*
 21 *packaging and other products that, if such prod-*
 22 *ucts enter the coastal or ocean environment, will*
 23 *fully degrade without harming the environment,*
 24 *wildlife, or human health.*

25 (B) *Innovations in production and pack-*
 26 *aging design that reduce the use of raw mate-*

1 *rials, increase recycled content, encourage*
 2 *reusability and recyclability, and promote a cir-*
 3 *cular economy.*

4 *(C) Improvements in marine debris detec-*
 5 *tion, monitoring, and cleanup technologies and*
 6 *processes.*

7 *(D) Improvements or improved strategies to*
 8 *increase solid waste collection, processing, sort-*
 9 *ing, recycling, or reuse.*

10 *(E) New designs or strategies to reduce*
 11 *overall packaging needs and promote reuse.*

12 *(b) DESIGNATION.—The prize competition established*
 13 *under subsection (a) shall be known as the “Genius Prize*
 14 *for Save Our Seas Innovations”.*

15 *(c) PRIORITIZATION.—In selecting awards for the*
 16 *prize competition, priority shall be given to projects that—*

17 *(1) have a strategy, submitted with the applica-*
 18 *tion or proposal, to move the new technology, process,*
 19 *design, material, or other product supported by the*
 20 *prize to market-scale deployment;*

21 *(2) support the concept of a circular economy;*
 22 *and*

23 *(3) promote development of materials that—*

1 (A) can fully degrade in the ocean without
 2 harming the environment, wildlife, or human
 3 health; and

4 (B) are to be used in fishing gear or other
 5 maritime products that have an increased likeli-
 6 hood of entering the coastal or ocean environ-
 7 ment as unintentional waste.

8 **SEC. 123. AGREEMENT WITH THE MARINE DEBRIS FOUNDA-**
 9 **TION.**

10 (a) *IN GENERAL.*—The Secretary may offer to enter
 11 into an agreement, which may include a grant or coopera-
 12 tive agreement, under which the Marine Debris Foundation
 13 established under title I may administer the prize competi-
 14 tion.

15 (b) *REQUIREMENTS.*—An agreement entered into
 16 under subsection (a) shall comply with the following re-
 17 quirements:

18 (1) *DUTIES.*—The Marine Debris Foundation
 19 shall—

20 (A) advertise the prize competition;

21 (B) solicit prize competition participants;

22 (C) administer funds relating to the prize
 23 competition;

24 (D) receive Federal and non-Federal
 25 funds—

1 (i) to administer the prize competition;

2 and

3 (ii) to award a cash prize;

4 (E) carry out activities to generate con-
5 tributions of non-Federal funds to offset, in
6 whole or in part—

7 (i) the administrative costs of the prize
8 competition; and

9 (ii) the costs of a cash prize;

10 (F) in the design and award of the prize,
11 consult, as appropriate with experts from—

12 (i) Federal agencies with jurisdiction
13 over the prevention of marine debris or the
14 promotion of innovative materials;

15 (ii) State agencies with jurisdiction
16 over the prevention of marine debris or the
17 promotion of innovative materials;

18 (iii) State, regional, or local conserva-
19 tion or post-consumer materials manage-
20 ment organizations, the mission of which
21 relates to the prevention of marine debris or
22 the promotion of innovative materials;

23 (iv) conservation groups, technology
24 companies, research institutions, scientists
25 (including those with expertise in marine

1 environments) institutions of higher edu-
 2 cation, industry, or individual stakeholders
 3 with an interest in the prevention of marine
 4 debris or the promotion of innovative mate-
 5 rials;

6 (v) experts in the area of standards de-
 7 velopment regarding the degradation, break-
 8 down, or recycling of polymers; and

9 (vi) other relevant experts of the
 10 Board's choosing;

11 (G) in consultation with, and subject to
 12 final approval by, the Secretary, develop criteria
 13 for the selection of prize competition winners;

14 (H) provide advice and consultation to the
 15 Secretary on the selection of judges under section
 16 124 based on criteria developed in consultation
 17 with, and subject to the final approval of, the
 18 Secretary;

19 (I) announce 1 or more annual winners of
 20 the prize competition;

21 (J) subject to paragraph (2), award 1 or
 22 more cash prizes biennially of not less than
 23 \$100,000; and

24 (K) protect against unauthorized use or dis-
 25 closure by the Marine Debris Foundation of any

1 *trade secret or confidential business information*
 2 *of a prize competition participant.*

3 (2) *ADDITIONAL CASH PRIZES.—The Marine De-*
 4 *bris Foundation may award more than 1 cash prize*
 5 *in a year—*

6 (A) *if the initial cash prize referred to in*
 7 *paragraph (1)(J) and any additional cash prizes*
 8 *are awarded using only non-Federal funds; and*

9 (B) *consisting of an amount determined by*
 10 *the Under Secretary after the Secretary is noti-*
 11 *fied by the Marine Debris Foundation that non-*
 12 *Federal funds are available for an additional*
 13 *cash prize.*

14 (3) *SOLICITATION OF FUNDS.—The Marine De-*
 15 *bris Foundation—*

16 (A) *may request and accept Federal funds*
 17 *and non-Federal funds for a cash prize or ad-*
 18 *ministration of the prize competition;*

19 (B) *may accept a contribution for a cash*
 20 *prize in exchange for the right to name the prize;*
 21 *and*

22 (C) *shall not give special consideration to*
 23 *any Federal agency or non-Federal entity in ex-*
 24 *change for a donation for a cash prize awarded*
 25 *under this section.*

1 **SEC. 124. JUDGES.**

2 (a) *APPOINTMENT.*—*The Secretary shall appoint not*
 3 *fewer than 3 judges who shall, except as provided in sub-*
 4 *section (b), select the 1 or more annual winners of the prize*
 5 *competition.*

6 (b) *DETERMINATION BY THE SECRETARY.*—*The judges*
 7 *appointed under subsection (a) shall not select any annual*
 8 *winner of the prize competition if the Secretary makes a*
 9 *determination that, in any fiscal year, none of the techno-*
 10 *logical advancements entered into the prize competition*
 11 *merits an award.*

12 **SEC. 125. REPORT TO CONGRESS.**

13 *Not later than 60 days after the date on which a cash*
 14 *prize is awarded under this title, the Secretary shall post*
 15 *on a publicly available website a report on the prize com-*
 16 *petition that includes—*

17 (1) *if the Secretary has entered into an agree-*
 18 *ment under section 123, a statement by the Marine*
 19 *Debris Foundation that describes the activities car-*
 20 *ried out by the Marine Debris Foundation relating to*
 21 *the duties described in section 123; and*

22 (2) *a statement by 1 or more of the judges ap-*
 23 *pointed under section 124 that explains the basis on*
 24 *which the winner of the cash prize was selected.*

1 **SEC. 126. AUTHORIZATION OF APPROPRIATIONS.**

2 *Of the amounts authorized under section 118(a), the*
 3 *Secretary of Commerce shall use up to \$1,000,000 to carry*
 4 *out this subtitle.*

5 **SEC. 127. TERMINATION OF AUTHORITY.**

6 *The prize program will terminate after 5 prize com-*
 7 *petition cycles have been completed.*

8 ***Subtitle D—Studies, Pilot Projects,***
 9 ***and Reports***

10 **SEC. 131. REPORT ON OPPORTUNITIES FOR INNOVATIVE**
 11 **USES OF PLASTIC WASTE.**

12 *Not later than 2 years after the date of enactment of*
 13 *this Act, the Interagency Marine Debris Coordinating Com-*
 14 *mittee shall submit to Congress a report on innovative uses*
 15 *for plastic waste in consumer products.*

16 **SEC. 132. REPORT ON MICROFIBER POLLUTION.**

17 *Not later than 2 years after the date of the enactment*
 18 *of this Act, the Interagency Marine Debris Coordinating*
 19 *Committee shall submit to Congress a report on microfiber*
 20 *pollution that includes—*

21 *(1) a definition of microfiber;*

22 *(2) an assessment of the sources, prevalence, and*
 23 *causes of microfiber pollution;*

24 *(3) a recommendation for a standardized meth-*
 25 *odology to measure and estimate the prevalence of*
 26 *microfiber pollution;*

1 (4) *recommendations for reducing microfiber pol-*
 2 *lution; and*

3 (5) *a plan for how Federal agencies, in partner-*
 4 *ship with other stakeholders, can lead on opportuni-*
 5 *ties to reduce microfiber pollution during the 5-year*
 6 *period beginning on such date of enactment.*

7 **SEC. 133. STUDY ON UNITED STATES PLASTIC POLLUTION**
 8 **DATA.**

9 (a) *IN GENERAL.*—*The Under Secretary, in consulta-*
 10 *tion with the EPA Administrator and the Secretary of the*
 11 *Interior, shall seek to enter into an arrangement with the*
 12 *National Academies of Sciences, Engineering, and Medicine*
 13 *under which the National Academies will undertake a*
 14 *multifaceted study that includes the following:*

15 (1) *An evaluation of United States contributions*
 16 *to global ocean plastic waste, including types, sources,*
 17 *and geographic variations.*

18 (2) *An assessment of the prevalence of marine*
 19 *debris and mismanaged plastic waste in saltwater*
 20 *and freshwater United States navigable waterways*
 21 *and tributaries.*

22 (3) *An examination of the import and export of*
 23 *plastic waste to and from the United States, includ-*
 24 *ing the destinations of the exported plastic waste and*

1 *the waste management infrastructure and environ-*
 2 *mental conditions of these locations.*

3 *(4) Potential means to reduce United States con-*
 4 *tributions to global ocean plastic waste.*

5 *(b) REPORT.—Not later than 18 months after the date*
 6 *of the enactment of this Act, the Under Secretary shall sub-*
 7 *mit to Congress a report on the study conducted under sub-*
 8 *section (a) that includes—*

9 *(1) the findings of the National Academies;*

10 *(2) recommendations on knowledge gaps that*
 11 *warrant further scientific inquiry; and*

12 *(3) recommendations on the potential value of a*
 13 *national marine debris tracking and monitoring sys-*
 14 *tem and how such a system might be designed and*
 15 *implemented.*

16 **SEC. 134. STUDY ON MASS BALANCE METHODOLOGIES TO**
 17 **CERTIFY CIRCULAR POLYMERS.**

18 *(a) IN GENERAL.—The National Institute of Stand-*
 19 *ards and Technology shall conduct a study of available*
 20 *mass balance methodologies that are or could be readily*
 21 *standardized to certify circular polymers.*

22 *(b) REPORT.—Not later than 1 year after the date of*
 23 *enactment of this Act, the Institute shall submit to Congress*
 24 *a report on the study conducted under subsection (a) that*
 25 *includes—*

1 (1) *an identification and assessment of existing*
 2 *mass balance methodologies, standards, and certifi-*
 3 *cation systems that are or may be applicable to sup-*
 4 *ply chain sustainability of polymers, considering the*
 5 *full life cycle of the polymer, and including an exam-*
 6 *ination of—*

7 (A) *the International Sustainability and*
 8 *Carbon Certification; and*

9 (B) *the Roundtable on Sustainable Bio-*
 10 *materials;*

11 (2) *an assessment of the environmental impacts*
 12 *of the full lifecycle of circular polymers, including im-*
 13 *pacts on climate change; and*

14 (3) *an assessment of any legal or regulatory bar-*
 15 *riers to developing a standard and certification sys-*
 16 *tem for circular polymers.*

17 (c) *DEFINITIONS.—In this section:*

18 (1) *CIRCULAR POLYMERS.—The term “circular*
 19 *polymers” means polymers that can be reused mul-*
 20 *tiple times or converted into a new, higher-quality*
 21 *product.*

22 (2) *MASS BALANCE METHODOLOGY.—The term*
 23 *“mass balance methodology” means the method of*
 24 *chain of custody accounting designed to track the*
 25 *exact total amount of certain content in products or*

1 *materials through the production system and to en-*
 2 *sure an appropriate allocation of this content in the*
 3 *finished goods based on auditable bookkeeping.*

4 **SEC. 135. REPORT ON SOURCES AND IMPACTS OF DERELICT**
 5 **FISHING GEAR.**

6 *Not later than 2 years after the date of the enactment*
 7 *of this Act, the Under Secretary shall submit to Congress*
 8 *a report that includes—*

9 *(1) an analysis of the scale of fishing gear losses*
 10 *by domestic and foreign fisheries, including—*

11 *(A) how the amount of gear lost varies*
 12 *among—*

13 *(i) domestic and foreign fisheries;*

14 *(ii) types of fishing gear; and*

15 *(iii) methods of fishing;*

16 *(B) how lost fishing gear is transported by*
 17 *ocean currents; and*

18 *(C) common reasons fishing gear is lost;*

19 *(2) an evaluation of the ecological, human*
 20 *health, and maritime safety impacts of derelict fish-*
 21 *ing gear, and how those impacts vary across—*

22 *(A) types of fishing gear;*

23 *(B) materials used to construct fishing gear;*

24 *and*

25 *(C) geographic location;*

1 (3) *recommendations on management meas-*
 2 *ures—*

3 (A) *to prevent fishing gear losses; and*

4 (B) *to reduce the impacts of lost fishing*
 5 *gear;*

6 (4) *an assessment of the cost of implementing*
 7 *such management measures; and*

8 (5) *an assessment of the impact of fishing gear*
 9 *loss attributable to foreign countries.*

10 **SEC. 136. EXPANSION OF DERELICT VESSEL RECYCLING.**

11 *Not later than 1 year after the date of the enactment*
 12 *of this Act, the Under Secretary and the EPA Adminis-*
 13 *trator shall jointly conduct a study to determine the feasi-*
 14 *bility of developing a nationwide derelict vessel recycling*
 15 *program—*

16 (1) *using as a model the fiberglass boat recycling*
 17 *program from the pilot project in Rhode Island led by*
 18 *Rhode Island Sea Grant and its partners; and*

19 (2) *including, if possible, recycling of vessels*
 20 *made from materials other than fiberglass.*

21 **SEC. 137. INCENTIVE FOR FISHERMEN TO COLLECT AND**
 22 **DISPOSE OF PLASTIC FOUND AT SEA.**

23 (a) *IN GENERAL.—The Under Secretary shall establish*
 24 *a pilot program to assess the feasibility and advisability*
 25 *of providing incentives, such as grants, to fishermen based*

1 *in the United States who incidentally capture marine de-*
 2 *bris while at sea—*

3 *(1) to track or keep the debris on board; and*

4 *(2) to dispose of the debris properly on land.*

5 *(b) SUPPORT FOR COLLECTION AND REMOVAL OF*
 6 *DERELICT GEAR.—The Under Secretary shall encourage*
 7 *United States efforts, such as the Fishing for Energy net*
 8 *disposal program, that support—*

9 *(1) collection and removal of derelict fishing gear*
 10 *and other fishing waste;*

11 *(2) disposal or recycling of such gear and waste;*
 12 *and*

13 *(3) prevention of the loss of such gear.*

14 ***TITLE II—ENHANCED GLOBAL***
 15 ***ENGAGEMENT TO COMBAT***
 16 ***MARINE DEBRIS***

17 ***SEC. 201. STATEMENT OF POLICY ON INTERNATIONAL CO-***
 18 ***OPERATION TO COMBAT MARINE DEBRIS.***

19 *It is the policy of the United States to partner, consult,*
 20 *and coordinate with foreign governments (at the national*
 21 *and subnational levels), civil society, international organi-*
 22 *zations, international financial institutions, subnational*
 23 *coastal communities, commercial and recreational fishing*
 24 *industry leaders, and the private sector, in a concerted ef-*
 25 *fort—*

1 (1) *to increase knowledge and raise awareness*
 2 *about—*

3 (A) *the linkages between the sources of plas-*
 4 *tic waste, mismanaged waste and post-consumer*
 5 *materials, and marine debris; and*

6 (B) *the upstream and downstream causes*
 7 *and effects of plastic waste, mismanaged waste*
 8 *and post-consumer materials, and marine debris*
 9 *on marine environments, marine wildlife,*
 10 *human health, and economic development;*

11 (2) *to support—*

12 (A) *strengthening systems for reducing the*
 13 *generation of plastic waste and recovering, man-*
 14 *aging, reusing, and recycling plastic waste, ma-*
 15 *rine debris, and microfiber pollution in the*
 16 *world's oceans, emphasizing upstream post-con-*
 17 *sumer materials management solutions—*

18 (i) *to decrease plastic waste at its*
 19 *source; and*

20 (ii) *to prevent leakage of plastic waste*
 21 *into the environment;*

22 (B) *advancing the utilization and avail-*
 23 *ability of safe and affordable reusable alter-*
 24 *natives to disposable plastic products in com-*
 25 *merce, to the extent practicable, and with consid-*

1 *eration for the potential impacts of such alter-*
 2 *natives, and other efforts to prevent marine de-*
 3 *bris;*

4 *(C) deployment of and access to advanced*
 5 *technologies to capture value from post-consumer*
 6 *materials and municipal solid waste streams*
 7 *through mechanical and other recycling systems;*

8 *(D) access to information on best practices*
 9 *in post-consumer materials management, options*
 10 *for post-consumer materials management systems*
 11 *financing, and options for participating in pub-*
 12 *lic-private partnerships; and*

13 *(E) implementation of management meas-*
 14 *ures to reduce derelict fishing gear, the loss of*
 15 *fishing gear, and other sources of pollution gen-*
 16 *erated from marine activities and to increase*
 17 *proper disposal and recycling of fishing gear;*
 18 *and*

19 *(3) to work cooperatively with international*
 20 *partners—*

21 *(A) on establishing—*

22 *(i) measurable targets for reducing ma-*
 23 *rine debris, lost fishing gear, and plastic*
 24 *waste from all sources; and*

1 (ii) action plans to achieve those tar-
 2 gets with a mechanism to provide regular
 3 reporting;

4 (B) to promote consumer education, aware-
 5 ness, and outreach to prevent marine debris;

6 (C) to reduce marine debris by improving
 7 advance planning for marine debris events and
 8 responses to such events; and

9 (D) to share best practices in post-consumer
 10 materials management systems to prevent the
 11 entry of plastic waste into the environment.

12 **SEC. 202. PRIORITIZATION OF EFFORTS AND ASSISTANCE**
 13 **TO COMBAT MARINE DEBRIS AND IMPROVE**
 14 **PLASTIC WASTE MANAGEMENT.**

15 (a) *IN GENERAL.*—The Secretary of State shall, in co-
 16 ordination with the Administrator of the United States
 17 Agency for International Development, as appropriate, and
 18 the officials specified in subsection (b)—

19 (1) lead and coordinate efforts to implement the
 20 policy described in section 201; and

21 (2) develop strategies and implement programs
 22 that prioritize engagement and cooperation with for-
 23 eign governments, subnational and local stakeholders,
 24 and the private sector to expedite efforts and assist-
 25 ance in foreign countries—

1 (A) to partner with, encourage, advise and
 2 facilitate national and subnational governments
 3 on the development and execution, where prac-
 4 ticable, of national projects, programs and ini-
 5 tiatives to—

6 (i) improve the capacity, security, and
 7 standards of operations of post-consumer
 8 materials management systems;

9 (ii) monitor and track how well post-
 10 consumer materials management systems
 11 are functioning nationwide, based on uni-
 12 form and transparent standards developed
 13 in cooperation with municipal, industrial,
 14 and civil society stakeholders;

15 (iii) identify the operational challenges
 16 of post-consumer materials management
 17 systems and develop policy and pro-
 18 grammatic solutions;

19 (iv) end intentional or unintentional
 20 incentives for municipalities, industries,
 21 and individuals to improperly dispose of
 22 plastic waste; and

23 (v) conduct outreach campaigns to
 24 raise public awareness of the importance of

1 *proper waste disposal and the reduction of*
2 *plastic waste;*

3 *(B) to facilitate the involvement of munici-*
4 *palities and industries in improving solid waste*
5 *reduction, collection, disposal, and reuse and re-*
6 *cycling projects, programs, and initiatives;*

7 *(C) to partner with and provide technical*
8 *assistance to investors, and national and local*
9 *institutions, including private sector actors, to*
10 *develop new business opportunities and solutions*
11 *to specifically reduce plastic waste and expand*
12 *solid waste and post-consumer materials man-*
13 *agement best practices in foreign countries by—*

14 *(i) maximizing the number of people*
15 *and businesses, in both rural and urban*
16 *communities, receiving reliable solid waste*
17 *and post-consumer materials management*
18 *services;*

19 *(ii) improving and expanding the ca-*
20 *capacity of foreign industries to responsibly*
21 *employ post-consumer materials manage-*
22 *ment practices;*

23 *(iii) improving and expanding the ca-*
24 *capacity and transparency of tracking mecha-*

1 *nisms for marine debris to reduce the im-*
 2 *pacts on the marine environment;*

3 *(iv) eliminating incentives that under-*
 4 *mine responsible post-consumer materials*
 5 *management practices and lead to improper*
 6 *waste disposal practices and leakage;*

7 *(v) building the capacity of coun-*
 8 *tries—*

9 *(I) to reduce, monitor, regulate,*
 10 *and manage waste, post-consumer ma-*
 11 *terials and plastic waste, and pollution*
 12 *appropriately and transparently, in-*
 13 *cluding imports of plastic waste from*
 14 *the United States and other countries;*

15 *(II) to encourage private invest-*
 16 *ment in post-consumer materials man-*
 17 *agement and reduction; and*

18 *(III) to encourage private invest-*
 19 *ment, grow opportunities, and develop*
 20 *markets for recyclable, reusable, and*
 21 *repurposed plastic waste and post-con-*
 22 *sumer materials, and products with*
 23 *high levels of recycled plastic content,*
 24 *at both national and local levels; and*

1 (vi) promoting safe and affordable re-
 2 usable alternatives to disposable plastic
 3 products, to the extent practicable; and

4 (D) to research, identify, and facilitate op-
 5 portunities to promote collection and proper dis-
 6 posal of damaged or derelict fishing gear.

7 (b) *OFFICIALS SPECIFIED.*—The officials specified in
 8 this subsection are the following:

9 (1) *The United States Trade Representative.*

10 (2) *The Under Secretary.*

11 (3) *The EPA Administrator.*

12 (4) *The Director of the Trade and Development*
 13 *Agency.*

14 (5) *The President and the Board of Directors of*
 15 *the Overseas Private Investment Corporation or the*
 16 *Chief Executive Officer and the Board of Directors of*
 17 *the United States International Development Finance*
 18 *Corporation, as appropriate.*

19 (6) *The Chief Executive Officer and the Board of*
 20 *Directors of the Millennium Challenge Corporation.*

21 (7) *The Commandant of the Coast Guard, with*
 22 *respect to pollution from ships.*

23 (8) *The heads of such other agencies as the Sec-*
 24 *retary of State considers appropriate.*

1 (c) *PRIORITIZATION.*—*In carrying out subsection (a),*
 2 *the officials specified in subsection (b) shall prioritize as-*
 3 *sistance to countries with, and regional organizations in*
 4 *regions with—*

5 (1) *rapidly developing economies; and*

6 (2) *rivers and coastal areas that are the most se-*
 7 *vere sources of marine debris, as identified by the best*
 8 *available science.*

9 (d) *EFFECTIVENESS MEASUREMENT.*—*In prioritizing*
 10 *and expediting efforts and assistance under this section, the*
 11 *officials specified in subsection (b) shall use clear, account-*
 12 *able, and metric-based targets to measure the effectiveness*
 13 *of guarantees and assistance in achieving the policy de-*
 14 *scribed in section 201.*

15 (e) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 16 *may be construed to authorize the modification of or the*
 17 *imposition of limits on the portfolios of any agency or insti-*
 18 *tution led by an official specified in subsection (b).*

19 **SEC. 203. UNITED STATES LEADERSHIP IN INTERNATIONAL**
 20 **FORA.**

21 *In implementing the policy described in section 201,*
 22 *the President shall direct the United States representatives*
 23 *to appropriate international bodies and conferences (in-*
 24 *cluding the United Nations Environment Programme, the*
 25 *Association of Southeast Asian Nations, the Asia Pacific*

1 *Economic Cooperation, the Group of 7, the Group of 20,*
 2 *the Organization for Economic Co-Operation and Develop-*
 3 *ment (OECD), and the Our Ocean Conference) to use the*
 4 *voice, vote, and influence of the United States, consistent*
 5 *with the broad foreign policy goals of the United States,*
 6 *to advocate that each such body—*

7 (1) *commit to significantly increasing efforts to*
 8 *promote investment in well-designed post-consumer*
 9 *materials management and plastic waste elimination*
 10 *and mitigation projects and services that increase ac-*
 11 *cess to safe post-consumer materials management and*
 12 *mitigation services, in partnership with the private*
 13 *sector and consistent with the constraints of other*
 14 *countries;*

15 (2) *address the post-consumer materials manage-*
 16 *ment needs of individuals and communities where ac-*
 17 *cess to municipal post-consumer materials manage-*
 18 *ment services is historically impractical or cost-pro-*
 19 *hibitive;*

20 (3) *enhance coordination with the private sec-*
 21 *tor—*

22 (A) *to increase access to solid waste and*
 23 *post-consumer materials management services;*

1 (B) to utilize safe and affordable alter-
 2 natives to disposable plastic products, to the ex-
 3 tent practicable;

4 (C) to encourage and incentivize the use of
 5 recycled content; and

6 (D) to grow economic opportunities and de-
 7 velop markets for recyclable, compostable, reus-
 8 able, and repurposed plastic waste materials and
 9 post-consumer materials and other efforts that
 10 support the circular economy;

11 (4) provide technical assistance to foreign regu-
 12 latory authorities and governments to remove unnec-
 13 essary barriers to investment in otherwise commer-
 14 cially-viable projects related to—

15 (A) post-consumer materials management;

16 (B) the use of safe and affordable alter-
 17 natives to disposable plastic products; or

18 (C) beneficial reuse of solid waste, plastic
 19 waste, post-consumer materials, plastic products,
 20 and refuse;

21 (5) use clear, accountable, and metric-based tar-
 22 gets to measure the effectiveness of such projects; and

23 (6) engage international partners in an existing
 24 multilateral forum (or, if necessary, establish through

1 *an international agreement a new multilateral*
 2 *forum) to improve global cooperation on—*

3 *(A) creating tangible metrics for evaluating*
 4 *efforts to reduce plastic waste and marine debris;*

5 *(B) developing and implementing best prac-*
 6 *tices at the national and subnational levels of*
 7 *foreign countries, particularly countries with lit-*
 8 *tle to no solid waste or post-consumer materials*
 9 *management systems, facilities, or policies in*
 10 *place for—*

11 *(i) collecting, disposing, recycling, and*
 12 *reusing plastic waste and post-consumer*
 13 *materials, including building capacity for*
 14 *improving post-consumer materials man-*
 15 *agement; and*

16 *(ii) integrating alternatives to dispos-*
 17 *able plastic products, to the extent prac-*
 18 *ticable;*

19 *(C) encouraging the development of stand-*
 20 *ards and practices, and increasing recycled con-*
 21 *tent percentage requirements for disposable plas-*
 22 *tic products;*

23 *(D) integrating tracking and monitoring*
 24 *systems into post-consumer materials manage-*
 25 *ment systems;*

1 (E) fostering research to improve scientific
2 understanding of—

3 (i) how microfibers and microplastics
4 may affect marine ecosystems, human
5 health and safety, and maritime activities;

6 (ii) changes in the amount and re-
7 gional concentrations of plastic waste in the
8 ocean, based on scientific modeling and
9 forecasting;

10 (iii) the role rivers, streams, and other
11 inland waterways play in serving as con-
12 duits for mismanaged waste traveling from
13 land to the ocean;

14 (iv) effective means to eliminate
15 present and future leakages of plastic waste
16 into the environment; and

17 (v) other related areas of research the
18 United States representatives deem nec-
19 essary;

20 (F) encouraging the World Bank and other
21 international finance organizations to prioritize
22 efforts to reduce plastic waste and combat ma-
23 rine debris;

1 (G) collaborating on technological advances
 2 in post-consumer materials management and re-
 3 cycled plastics;

4 (H) growing economic opportunities and
 5 developing markets for recyclable, compostable,
 6 reusable, and repurposed plastic waste and post-
 7 consumer materials and other efforts that sup-
 8 port the circular economy; and

9 (I) advising foreign countries, at both the
 10 national and subnational levels, on the develop-
 11 ment and execution of regulatory policies, serv-
 12 ices, including recycling and reuse of plastic,
 13 and laws pertaining to reducing the creation
 14 and the collection and safe management of—

15 (i) solid waste;

16 (ii) post-consumer materials;

17 (iii) plastic waste; and

18 (iv) marine debris.

19 **SEC. 204. ENHANCING INTERNATIONAL OUTREACH AND**
 20 **PARTNERSHIP OF UNITED STATES AGENCIES**
 21 **INVOLVED IN MARINE DEBRIS ACTIVITIES.**

22 (a) *FINDINGS.*—Congress recognizes the success of the
 23 marine debris program of the National Oceanic and Atmos-
 24 pheric Administration and the Trash-Free Waters program
 25 of the Environmental Protection Agency.

1 (b) *AUTHORIZATION OF EFFORTS TO BUILD FOREIGN*
 2 *PARTNERSHIPS.*—*The Under Secretary and the EPA Ad-*
 3 *ministrator shall work with the Secretary of State and the*
 4 *Administrator of the United States Agency for Inter-*
 5 *national Development to build partnerships, as appro-*
 6 *priate, with the governments of foreign countries and to*
 7 *support international efforts to combat marine debris.*

8 **SEC. 205. NEGOTIATION OF NEW INTERNATIONAL AGREE-**
 9 **MENTS.**

10 *Not later than 1 year after the date of the enactment*
 11 *of this Act, the Secretary of State shall submit to Congress*
 12 *a report—*

13 (1) *assessing the potential for negotiating new*
 14 *international agreements or creating a new inter-*
 15 *national forum to reduce land-based sources of ma-*
 16 *rine debris and derelict fishing gear, consistent with*
 17 *section 203;*

18 (2) *describing the provisions that could be in-*
 19 *cluded in such agreements; and*

20 (3) *assessing potential parties to such agree-*
 21 *ments.*

1 **SEC. 206. CONSIDERATION OF MARINE DEBRIS IN NEGOTI-**
 2 **ATING INTERNATIONAL AGREEMENTS.**

3 *In negotiating any relevant international agreement*
 4 *with any country or countries after the date of the enact-*
 5 *ment of this Act, the President shall, as appropriate—*

6 *(1) consider the impact of land-based sources of*
 7 *plastic waste and other solid waste from that country*
 8 *on the marine and aquatic environment; and*

9 *(2) ensure that the agreement strengthens efforts*
 10 *to eliminate land-based sources of plastic waste and*
 11 *other solid waste from that country that impact the*
 12 *marine and aquatic environment.*

13 **TITLE III—IMPROVING DOMES-**
 14 **TIC INFRASTRUCTURE TO**
 15 **PREVENT MARINE DEBRIS**

16 **SEC. 301. STRATEGY FOR IMPROVING POST-CONSUMER MA-**
 17 **TERIALS MANAGEMENT AND WATER MANAGE-**
 18 **MENT.**

19 *(a) IN GENERAL.—Not later than 1 year after the date*
 20 *of enactment of this Act, the EPA Administrator shall, in*
 21 *consultation with stakeholders, develop a strategy to im-*
 22 *prove post-consumer materials management and infrastruc-*
 23 *ture for the purpose of reducing plastic waste and other*
 24 *post-consumer materials in waterways and oceans.*

25 *(b) RELEASE.—On development of the strategy under*
 26 *subsection (a), the EPA Administrator shall—*

- 1 (1) *distribute the strategy to States; and*
- 2 (2) *make the strategy publicly available, includ-*
- 3 *ing for use by—*
- 4 (A) *for-profit private entities involved in*
- 5 *post-consumer materials management; and*
- 6 (B) *other nongovernmental entities.*

7 **SEC. 302. GRANT PROGRAMS.**

- 8 (a) *POST-CONSUMER MATERIALS MANAGEMENT IN-*
- 9 *FRAStructure GRANT PROGRAM.—*

- 10 (1) *IN GENERAL.—The EPA Administrator may*
- 11 *provide grants to States to implement the strategy de-*
- 12 *veloped under section 301(a) and—*

- 13 (A) *to support improvements to local post-*
- 14 *consumer materials management, including mu-*
- 15 *nicipal recycling programs; and*

- 16 (B) *to assist local waste management au-*
- 17 *thorities in making improvements to local waste*
- 18 *management systems.*

- 19 (2) *APPLICATIONS.—To be eligible to receive a*
- 20 *grant under paragraph (1), the applicant State shall*
- 21 *submit to the EPA Administrator an application at*
- 22 *such time, in such manner, and containing such in-*
- 23 *formation as the EPA Administrator may require.*

- 24 (3) *CONTENTS OF APPLICATIONS.—In developing*
- 25 *application requirements, the EPA Administrator*

1 *shall consider requesting that a State applicant pro-*
 2 *vide—*

3 *(A) a description of—*

4 *(i) the project or projects to be carried*
 5 *out using grant funds; and*

6 *(ii) how the project or projects would*
 7 *result in the generation of less plastic waste;*

8 *(B) a description of how the funds will sup-*
 9 *port disadvantaged communities; and*

10 *(C) an explanation of any limitations, such*
 11 *as flow control measures, that restrict access to*
 12 *reusable or recyclable materials.*

13 *(4) REPORT TO CONGRESS.—Not later than Jan-*
 14 *uary 1, 2023, the EPA Administrator shall submit to*
 15 *the Committee on Environment and Public Works of*
 16 *the Senate and the Committee on Transportation and*
 17 *Infrastructure and the Committee on Energy and*
 18 *Commerce of the House of Representatives a report*
 19 *that includes—*

20 *(A) a description of the activities carried*
 21 *out under this subsection;*

22 *(B) estimates as to how much plastic waste*
 23 *was prevented from entering the oceans and*
 24 *other waterways as a result of activities funded*
 25 *pursuant to this subsection; and*

1 (C) *a recommendation on the utility of*
 2 *evolving the grant program into a new waste*
 3 *management State revolving fund.*

4 (b) *DRINKING WATER INFRASTRUCTURE GRANTS.—*

5 (1) *IN GENERAL.—The EPA Administrator may*
 6 *provide competitive grants to units of local govern-*
 7 *ment, Indian Tribes, and public water systems (as de-*
 8 *finied in section 1401 of the Safe Drinking Water Act*
 9 *(42 U.S.C. 300f)) to support improvements in reduc-*
 10 *ing and removing plastic waste and post-consumer*
 11 *materials, including microplastics and microfibers,*
 12 *from drinking water or sources of drinking water, in-*
 13 *cluding planning, design, construction, technical as-*
 14 *sistance, and planning support for operational ad-*
 15 *justments.*

16 (2) *APPLICATIONS.—To be eligible to receive a*
 17 *grant under paragraph (1), an applicant shall submit*
 18 *to the EPA Administrator an application at such*
 19 *time, in such manner, and containing such informa-*
 20 *tion as the EPA Administrator may require.*

21 (c) *WASTEWATER INFRASTRUCTURE GRANTS.—*

22 (1) *IN GENERAL.—The EPA Administrator may*
 23 *provide grants to municipalities (as defined in sec-*
 24 *tion 502 of the Federal Water Pollution Control Act*
 25 *(33 U.S.C. 1362)) or Indian Tribes that own and op-*

1 *erate treatment works (as such term is defined in sec-*
 2 *tion 212 of such Act (33 U.S.C. 1292)) for the con-*
 3 *struction of improvements to reduce and remove plas-*
 4 *tic waste and post-consumer materials, including*
 5 *microplastics and microfibers, from wastewater.*

6 (2) *APPLICATIONS.—To be eligible to receive a*
 7 *grant under paragraph (1), an applicant shall submit*
 8 *to the EPA Administrator an application at such*
 9 *time, in such manner, and containing such informa-*
 10 *tion as the EPA Administrator may require.*

11 (d) *TRASH-FREE WATERS GRANTS.—*

12 (1) *IN GENERAL.—The EPA Administrator may*
 13 *provide grants to units of local government, Indian*
 14 *Tribes, and nonprofit organizations—*

15 (A) *to support projects to reduce the quan-*
 16 *tity of solid waste in bodies of water by reducing*
 17 *the quantity of waste at the source, including*
 18 *through anti-litter initiatives;*

19 (B) *to enforce local post-consumer materials*
 20 *management ordinances;*

21 (C) *to implement State or local policies re-*
 22 *lating to solid waste;*

23 (D) *to capture post-consumer materials at*
 24 *stormwater inlets, at stormwater outfalls, or in*
 25 *bodies of water;*

1 (E) to provide education and outreach
 2 about post-consumer materials movement and re-
 3 duction; and

4 (F) to monitor or model flows of post-con-
 5 sumer materials, including monitoring or mod-
 6 eling a reduction in trash as a result of the im-
 7 plementation of best management practices for
 8 the reduction of plastic waste and other post-con-
 9 sumer materials in sources of drinking water.

10 (2) *APPLICATIONS.*—To be eligible to receive a
 11 grant under paragraph (1), an applicant shall submit
 12 to the EPA Administrator an application at such
 13 time, in such manner, and containing such informa-
 14 tion as the EPA Administrator may require.

15 (e) *APPLICABILITY OF FEDERAL LAW.*—

16 (1) *IN GENERAL.*—The EPA Administrator shall
 17 ensure that all laborers and mechanics employed on
 18 projects funded directly, or assisted in whole or in
 19 part, by a grant established by this section shall be
 20 paid wages at rates not less than those prevailing on
 21 projects of a character similar in the locality as deter-
 22 mined by the Secretary of Labor in accordance with
 23 subchapter IV of chapter 31 of part A of subtitle II
 24 of title 40, United States Code.

1 (2) *AUTHORITY.*—With respect to the labor
 2 standards specified in paragraph (1), the Secretary of
 3 Labor shall have the authority and functions set forth
 4 in Reorganization Plan Numbered 14 of 1950 (64
 5 Stat. 1267; 5 U.S.C. App.) and section 3145 of title
 6 40, United States Code.

7 (3) *REQUIREMENTS.*—The requirements of sec-
 8 tion 608 of the Federal Water Pollution Control Act
 9 (33 U.S.C. 1388) shall apply to the construction of a
 10 project carried out, in whole or in part, with assist-
 11 ance made available under this section in the same
 12 manner as the requirements of such section apply
 13 with respect to funds made available pursuant to title
 14 VI of such Act.

15 (f) *LIMITATION ON USE OF FUNDS.*—A grant under
 16 this section may not be used (directly or indirectly) as a
 17 source of payment (in whole or in part) of, or security for,
 18 an obligation the interest on which is excluded from gross
 19 income under section 103 of the Internal Revenue Code of
 20 1986.

21 (g) *AUTHORIZATION OF APPROPRIATIONS.*—There are
 22 authorized to be appropriated—

23 (1) for the program described subsection (a),
 24 \$55,000,000 for each of fiscal years 2021 through
 25 2025; and

1 (2) *for each of the programs described subsections*
 2 *(b), (c), and (d), \$10,000,000 for each of fiscal years*
 3 *2021 through 2025.*

4 **SEC. 303. STUDY ON REPURPOSING PLASTIC WASTE IN IN-**
 5 **FRASTRUCTURE.**

6 (a) *IN GENERAL.*—*The Secretary of Transportation*
 7 *(referred to in this section as the “Secretary”) and the EPA*
 8 *Administrator shall jointly enter into an arrangement with*
 9 *the National Academies of Sciences, Engineering, and Med-*
 10 *icine under which the National Academies will—*

11 (1) *conduct a study on the uses of plastic waste*
 12 *in infrastructure; and*

13 (2) *as part of the study under paragraph (1)—*

14 (A) *identify domestic and international ex-*
 15 *amples of—*

16 (i) *the use of plastic waste materials*
 17 *described in that paragraph;*

18 (ii) *infrastructure projects in which the*
 19 *use of plastic waste has been applied; and*

20 (iii) *projects in which the use of plastic*
 21 *waste has been incorporated into or with*
 22 *other infrastructure materials;*

23 (B) *assess—*

1 (i) the effectiveness and utility of the
2 uses of plastic waste described in that para-
3 graph;

4 (ii) the extent to which plastic waste
5 materials are consistent with recognized
6 specifications for infrastructure construction
7 and other recognized standards;

8 (iii) relevant impacts of plastic waste
9 materials compared to non-waste plastic
10 materials;

11 (iv) the health, safety, and environ-
12 mental impacts of—

13 (I) plastic waste on humans and
14 animals; and

15 (II) the increased use of plastic
16 waste for infrastructure;

17 (v) the ability of plastic waste infra-
18 structure to withstand natural disasters, ex-
19 treme weather events, and other hazards;
20 and

21 (vi) plastic waste in infrastructure
22 through an economic analysis; and

23 (C) make recommendations with respect to
24 what standards or matters may need to be ad-
25 dressed with respect to ensuring human and ani-

1 *mal health and safety from the use of plastic*
 2 *waste in infrastructure.*

3 **(b) REPORT REQUIRED.**—*Not later than 2 years after*
 4 *the date of enactment of this Act and subject to the avail-*
 5 *ability of appropriations, the Secretary and the EPA Ad-*
 6 *ministrator shall submit to Congress a report on the study*
 7 *conducted under subsection (a).*

8 **SEC. 304. STUDY ON EFFECTS OF MICROPLASTICS IN FOOD**
 9 **SUPPLIES AND SOURCES OF DRINKING**
 10 **WATER.**

11 **(a) IN GENERAL.**—*The EPA Administrator, in con-*
 12 *sultation with the Under Secretary, shall seek to enter into*
 13 *an arrangement with the National Academies of Sciences,*
 14 *Engineering, and Medicine under which the National Acad-*
 15 *emies will conduct a human health and environmental risk*
 16 *assessment on microplastics, including microfibers, in food*
 17 *supplies and sources of drinking water.*

18 **(b) REPORT REQUIRED.**—*Not later than 2 years after*
 19 *the date of enactment of this Act, the EPA Administrator*
 20 *shall submit to Congress a report on the study conducted*
 21 *under subsection (a) that includes—*

22 **(1)** *a science-based definition of “microplastics”*
 23 *that can be adopted in federally supported monitoring*
 24 *and future assessments supported or conducted by a*
 25 *Federal agency;*

1 (2) *recommendations for standardized moni-*
2 *toring, testing, and other necessary protocols relating*
3 *to microplastics;*

4 (3) *an assessment of—*

5 (A) *the extent to which microplastics are*
6 *present in the food supplies and sources of drink-*
7 *ing water; and*

8 (B) *the type, source, prevalence, and risk of*
9 *microplastics in the food supplies and sources of*
10 *drinking water, including—*

11 (i) *an identification of the most sig-*
12 *nificant sources of those microplastics; and*

13 (ii) *a review of the best available*
14 *science to determine any potential hazards*
15 *of microplastics in the food supplies and*
16 *sources of drinking water; and*

17 (4) *a measurement of—*

18 (A) *the quantity of environmental chemicals*
19 *that adsorb to microplastics; and*

20 (B) *the quantity described in subparagraph*
21 (A) *that would be available for human exposure*
22 *through food supplies or sources of drinking*
23 *water.*

1 **SEC. 305. REPORT ON ELIMINATING BARRIERS TO IN-**
 2 **CREASE THE COLLECTION OF RECYCLABLE**
 3 **MATERIALS.**

4 *Not later than 1 year after the date of enactment of*
 5 *this Act, the EPA Administrator shall submit to Congress*
 6 *a report describing—*

7 *(1) the economic, educational, technological, re-*
 8 *source availability, legal, or other barriers to increas-*
 9 *ing the collection, processing, and use of recyclable*
 10 *materials; and*

11 *(2) recommendations to overcome the barriers de-*
 12 *scribed under paragraph (1).*

13 **SEC. 306. REPORT ON ECONOMIC INCENTIVES TO SPUR DE-**
 14 **VELOPMENT OF NEW END-USE MARKETS FOR**
 15 **RECYCLED PLASTICS.**

16 *Not later than 1 year after the date of enactment of*
 17 *this Act, the EPA Administrator shall submit to Congress*
 18 *a report describing the most efficient and effective economic*
 19 *incentives to spur the development of additional new end-*
 20 *use markets for recycled plastics, including plastic film, in-*
 21 *cluding the use of increased recycled content by manufac-*
 22 *turers in the production of plastic goods and packaging.*

23 **SEC. 307. REPORT ON MINIMIZING THE CREATION OF NEW**
 24 **PLASTIC WASTE.**

25 *(a) IN GENERAL.—The EPA Administrator, in coordi-*
 26 *nation with the Interagency Marine Debris Coordinating*

1 *Committee and the National Institute of Standards and*
2 *Technology, shall conduct a study on minimizing the cre-*
3 *ation of new plastic waste.*

4 *(b) REPORT.—Not later than 2 years after the date*
5 *of enactment of this Act, the EPA Administrator shall sub-*
6 *mit to Congress a report on the study conducted under sub-*
7 *section (a) that includes—*

8 *(1) an estimate of the current and projected*
9 *United States production and consumption of plas-*
10 *tics, by type of plastic, including consumer food prod-*
11 *ucts;*

12 *(2) an estimate of the environmental effects and*
13 *impacts of plastic production and use in relation to*
14 *other materials;*

15 *(3) an estimate of current and projected future*
16 *recycling rates of plastics, by type of plastic;*

17 *(4) an assessment of opportunities to minimize*
18 *the creation of new plastic waste, including consumer*
19 *food products, by reducing, recycling, reusing, refill-*
20 *ing, refurbishing, or capturing plastic that would oth-*
21 *erwise be part of a waste stream; and*

22 *(5) an assessment of what post-consumer recycled*
23 *content standards for plastic are technologically and*

- 1 *economically feasible, and the impact of the standards*
- 2 *on recycling rates.*

Attest:

Clerk.

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AMENDMENT