

116TH CONGRESS
2D SESSION

S. 1982

AN ACT

To improve efforts to combat marine debris, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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
 5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—COMBATING MARINE DEBRIS

Subtitle A—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 B—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.

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Sec. 126. Authorization of appropriations.

Sec. 127. Termination of authority.

Subtitle C—Other Measures Relating to Combating Marine Debris

Sec. 131. Prioritization of marine debris in existing innovation and entrepreneurship programs.

Sec. 132. Expansion of derelict vessel recycling.

Sec. 133. Incentive for fishermen to collect and dispose of plastic found at sea.

Sec. 134. Amendments to Marine Debris Program.

Sec. 135. Marine debris on National Forest System land.

Subtitle D—Studies and Reports

Sec. 141. Report on opportunities for innovative uses of plastic waste.

Sec. 142. Report on microfiber pollution.

Sec. 143. Study on United States plastic pollution data.

Sec. 144. Study on mass balance methodologies to certify circular polymers.

Sec. 145. Report on sources and impacts of derelict fishing gear.

**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. Sense of the Senate for issues to be included in strategy for post-consumer materials management and water management.
- Sec. 303. Grant programs.
- Sec. 304. Study on repurposing plastic waste in infrastructure.
- Sec. 305. Study on effects of microplastics in food supplies and sources of drinking water.
- Sec. 306. Report on eliminating barriers to increase the collection of recyclable materials.
- Sec. 307. Report on economic incentives to spur development of new end-use markets for recycled plastics.
- Sec. 308. 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-fo-
5 cused approach and involves industrial processes and
6 economic activities that—

7 (A) are restorative or regenerative by de-
8 sign;

9 (B) enable resources used in such proc-
10 esses and activities to maintain their highest
11 values for as long as possible; and

1 (C) aim for the elimination of waste
2 through the superior design of materials, prod-
3 ucts, and systems (including business models).

4 (2) EPA ADMINISTRATOR.—The term “EPA
5 Administrator” means the Administrator of the En-
6 vironmental Protection Agency.

7 (3) INDIAN TRIBE.—The term “Indian Tribe”
8 has the meaning given the term “Indian tribe” in
9 section 4 of the Indian Self-Determination and Edu-
10 cation Assistance Act (25 U.S.C. 5304), without re-
11 gard to capitalization.

12 (4) INTERAGENCY MARINE DEBRIS COORDI-
13 NATING COMMITTEE.—The term “Interagency Ma-
14 rine Debris Coordinating Committee” means the
15 Interagency Marine Debris Coordinating Committee
16 established under section 5 of the Marine Debris Act
17 (33 U.S.C. 1954).

18 (5) MARINE DEBRIS.—The term “marine de-
19 bris” has the meaning given that term in section 7
20 of the Marine Debris Act (33 U.S.C. 1956).

21 (6) MARINE DEBRIS EVENT.—The term “ma-
22 rine debris event” means an event or related events
23 that affects or may imminently affect the United
24 States involving—

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

4 (B) distinct, nonrecurring marine debris,
5 including derelict vessel groundings and con-
6 tainer spills, that have immediate or long-term
7 impacts on habitats with high ecological, eco-
8 nomic, or human-use values; or

9 (C) marine debris caused by an intentional
10 or grossly negligent act or acts that causes sub-
11 stantial economic or environmental harm.

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

14 (A) a State;

15 (B) an Indian Tribe;

16 (C) a territory of the United States;

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

21 (E) a foreign government;

22 (F) a private for-profit entity;

23 (G) a nonprofit organization; or

24 (H) a private individual.

1 (8) NONPROFIT ORGANIZATION.—The term
2 “nonprofit organization” means an organization that
3 is described in section 501(c) of the Internal Rev-
4 enue Code of 1986 and exempt from tax under sec-
5 tion 501(a) of such Code.

6 (9) POST-CONSUMER MATERIALS MANAGE-
7 MENT.—The term “post-consumer materials man-
8 agement” means the systems, operation, supervision,
9 and long-term management of processes and equip-
10 ment used for post-use material (including pack-
11 aging, goods, products, and other materials), includ-
12 ing—

13 (A) collection;

14 (B) transport;

15 (C) safe disposal of waste that cannot be
16 recovered, reused, recycled, repaired, or refur-
17 bished; and

18 (D) systems and processes related to post-
19 use materials that can be recovered, reused, re-
20 cycled, repaired, or refurbished.

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

22 (A) a State;

23 (B) an Indian Tribe;

24 (C) the District of Columbia;

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

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

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

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

12 **Subtitle A—Marine Debris** 13 **Foundation**

14 **SEC. 111. ESTABLISHMENT AND PURPOSES OF FOUNDA-** 15 **TION.**

16 (a) ESTABLISHMENT.—There is established the Ma-
17 rine Debris Foundation (in this title referred to as the
18 “Foundation”). The Foundation is a charitable and non-
19 profit organization and is not an agency or establishment
20 of the United States.

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

23 (1) to encourage, accept, and administer private
24 gifts of property for the benefit of, or in connection
25 with, the activities and services of the National Oce-

anic 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 further the 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;

(3) to participate with, and otherwise assist, State, local, and Tribal governments, foreign governments, entities, and individuals in undertaking and conducting activities to assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris and its root causes on the economy of the United States, the marine environment (including waters in the jurisdiction of the United States, the high seas, and waters in the jurisdiction of other countries), and navigation safety;

(4) to administer the Genius Prize for Save Our Seas Innovation as described in title II; and

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

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

2 (a) ESTABLISHMENT AND MEMBERSHIP.—

3 (1) IN GENERAL.—The Foundation shall have a
4 governing Board of Directors (in this title referred
5 to as the “Board”), which shall consist of the Under
6 Secretary and 12 additional Directors appointed in
7 accordance with subsection (b) from among individ-
8 uals who are United States citizens.

9 (2) REPRESENTATION OF DIVERSE POINTS OF
10 VIEW.—To the maximum extent practicable, the
11 membership of the Board shall represent diverse
12 points of view relating to the assessment, prevention,
13 reduction, and removal of marine debris.

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

18 (b) APPOINTMENT AND TERMS.—

19 (1) APPOINTMENT.—Subject to paragraph (2),
20 after consulting with the EPA Administrator, the
21 Director of the United States Fish and Wildlife
22 Service, the Assistant Secretary of State for the Bu-
23 reau of Oceans and International Environmental and
24 Scientific Affairs, and the Administrator of the
25 United States Agency for International Develop-
26 ment, and considering the recommendations sub-

mitted 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;

(B) at least 2 shall be educated or experienced in the assessment, prevention, reduction, or removal of marine debris outside the United States;

(C) at least 2 shall be educated or experienced in ocean and coastal resource conservation science or policy; and

(D) at least 2 shall be educated or experienced in international trade or foreign policy.

(2) TERMS.—

(A) IN GENERAL.—Subject to subparagraph (B), each Director (other than the Under Secretary) shall be appointed for a term of 6 years.

(B) INITIAL APPOINTMENTS TO NEW MEMBER POSITIONS.—Of the Directors appointed by the Under Secretary under paragraph (1), the

1 Secretary shall appoint, not later than 180 days
2 after the date of the enactment of this Act—

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

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

5 and

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

7 (3) VACANCIES.—

8 (A) IN GENERAL.—The Under Secretary
9 shall fill a vacancy on the Board.

10 (B) TERM OF APPOINTMENTS TO FILL UN-
11 EXPIRED TERMS.—An individual appointed to
12 fill a vacancy that occurs before the expiration
13 of the term of a Director shall be appointed for
14 the remainder of the term.

15 (4) REAPPOINTMENT.—An individual (other
16 than an individual described in paragraph (1)) shall
17 not serve more than 2 consecutive terms as a Direc-
18 tor, excluding any term of less than 6 years.

19 (5) REQUEST FOR REMOVAL.—The executive
20 committee of the Board may submit to the Under
21 Secretary a letter describing the nonperformance of
22 a Director and requesting the removal of the Direc-
23 tor from the Board.

24 (6) CONSULTATION BEFORE REMOVAL.—Before
25 removing any Director from the Board, the Under

1 Secretary shall consult with the Assistant Secretary
2 of State for the Bureau of Oceans and International
3 Environmental and Scientific Affairs, the Director of
4 the United States Fish and Wildlife Service, and the
5 EPA Administrator.

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

8 (d) QUORUM.—A majority of the current membership
9 of the Board shall constitute a quorum for the transaction
10 of business.

11 (e) MEETINGS.—The Board shall meet at the call of
12 the Chairman at least once a year. If a Director misses
13 3 consecutive regularly scheduled meetings, that individual
14 may be removed from the Board and that vacancy filled
15 in accordance with subsection (b).

16 (f) REIMBURSEMENT OF EXPENSES.—Members of
17 the Board shall serve without pay, but may be reimbursed
18 for the actual and necessary traveling and subsistence ex-
19 penses incurred by them in the performance of the duties
20 of the Foundation.

21 (g) GENERAL POWERS.—

22 (1) IN GENERAL.—The Board may complete
23 the organization of the Foundation by—

24 (A) appointing officers and employees;

1 (B) adopting a constitution and bylaws
2 consistent with the purposes of the Foundation
3 and the provisions of this title; and

4 (C) undertaking of other such acts as may
5 be necessary to carry out the provisions of this
6 title.

7 (2) LIMITATIONS ON APPOINTMENT.—The fol-
8 lowing limitations apply with respect to the appoint-
9 ment of officers and employees of the Foundation:

10 (A) Officers and employees may not be ap-
11 pointed until the Foundation has sufficient
12 funds to pay them for their service. Officers
13 and employees of the Foundation shall be ap-
14 pointed without regard to the provisions of title
15 5, United States Code, governing appointments
16 in the competitive service, and may be paid
17 without regard to the provisions of chapter 51
18 and subchapter III of chapter 53 of such title
19 relating to classification and General Schedule
20 pay rates.

21 (B) The first officer or employee appointed
22 by the Board shall be the Secretary of the
23 Board who—

24 (i) shall serve, at the direction of the
25 Board, as its chief operating officer; and

1 (ii) shall be knowledgeable and experi-
2 enced in matters relating to the assess-
3 ment, prevention, reduction, and removal
4 of marine debris.

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

6 (a) IN GENERAL.—The Foundation—

7 (1) shall have perpetual succession;

8 (2) may conduct business throughout the sev-
9 eral States, territories, and possessions of the
10 United States and abroad; and

11 (3) shall at all times maintain a designated
12 agent authorized to accept service of process for the
13 Foundation.

14 (b) SERVICE OF PROCESS.—The serving of notice to,
15 or service of process upon, the agent required under sub-
16 section (a)(3), or mailed to the business address of such
17 agent, shall be deemed as service upon or notice to the
18 Foundation.

19 (c) POWERS.—

20 (1) IN GENERAL.—To carry out its purposes
21 under section 111, the Foundation shall have, in ad-
22 dition to the powers otherwise given it under this
23 title, the usual powers of a corporation acting as a
24 trustee in the District of Columbia, including the
25 power—

1 (A) to accept, receive, solicit, hold, admin-
2 ister, and use any gift, devise, or bequest, either
3 absolutely or in trust, of real or personal prop-
4 erty or any income therefrom or other interest
5 therein;

6 (B) to acquire by purchase or exchange
7 any real or personal property or interest there-
8 in;

9 (C) to invest any funds provided to the
10 Foundation by the Federal Government in obli-
11 gations of the United States or in obligations or
12 securities that are guaranteed or insured by the
13 United States;

14 (D) to deposit any funds provided to the
15 Foundation by the Federal Government into ac-
16 counts that are insured by an agency or instru-
17 mentality of the United States;

18 (E) to make use of any interest or invest-
19 ment income that accrues as a consequence of
20 actions taken under subparagraph (C) or (D) to
21 carry out the purposes of the Foundation;

22 (F) to use Federal funds to make pay-
23 ments under cooperative agreements to provide
24 substantial long-term benefits for the assess-

1 ment, prevention, reduction, and removal of ma-
2 rine debris;

3 (G) unless otherwise required by the in-
4 strument of transfer, to sell, donate, lease, in-
5 vest, reinvest, retain or otherwise dispose of any
6 property or income therefrom;

7 (H) to borrow money and issue bonds, de-
8 bentures, or other debt instruments;

9 (I) to sue and be sued, and complain and
10 defend itself in any court of competent jurisdic-
11 tion, except that the Directors of the Founda-
12 tion shall not be personally liable, except for
13 gross negligence;

14 (J) to enter into contracts or other ar-
15 rangements with, or provide financial assistance
16 to, public agencies and private organizations
17 and persons and to make such payments as
18 may be necessary to carry out its functions; and

19 (K) to do any and all acts necessary and
20 proper to carry out the purposes of the Founda-
21 tion.

22 (2) NON-FEDERAL CONTRIBUTIONS TO THE
23 FUND.—A gift, devise, or bequest may be accepted
24 by the Foundation without regard to whether the
25 gift, devise, or bequest is encumbered, restricted, or

1 subject to beneficial interests of private persons if
2 any current or future interest in the gift, devise, or
3 bequest is for the benefit of the Foundation.

4 (d) NOTICE TO MEMBERS OF CONGRESS.—The
5 Foundation may not make a grant of Federal funds in
6 an amount greater than \$100,000 unless, by not later
7 than 15 days before the grant is made, the Foundation
8 provides notice of the grant to the Member of Congress
9 for the congressional district in which the project to be
10 funded with the grant will be carried out.

11 (e) COORDINATION OF INTERNATIONAL EFFORTS.—
12 Any efforts of the Foundation carried out in a foreign
13 country, and any grants provided to an individual or entity
14 in a foreign country, shall be made only with the concur-
15 rence of the Secretary of State, in consultation, as appro-
16 priate, with the Administrator of the United States Agen-
17 cy for International Development.

18 (f) CONSULTATION WITH NOAA.—The Foundation
19 shall consult with the Under Secretary during the plan-
20 ning of any restoration or remediation action using funds
21 resulting from judgments or settlements relating to the
22 damage to trust resources of the National Oceanic and
23 Atmospheric Administration.

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

2 (a) PROVISION OF SERVICES.—The Under Secretary
3 may provide personnel, facilities, and other administrative
4 services to the Foundation, including reimbursement of
5 expenses, not to exceed the current Federal Government
6 per diem rates, for a period of up to 5 years beginning
7 on the date of the enactment of this Act.

8 (b) REIMBURSEMENT.—The Under Secretary shall
9 require reimbursement from the Foundation for any ad-
10 ministrative service provided under subsection (a). The
11 Under Secretary shall deposit any reimbursement received
12 under this subsection into the Treasury to the credit of
13 the appropriations then current and chargeable for the
14 cost of providing such services.

15 **SEC. 115. VOLUNTEER STATUS.**

16 The Secretary of Commerce may accept, without re-
17 gard to the civil service classification laws, rules, or regu-
18 lations, the services of the Foundation, the Board, and
19 the officers and employees of the Board, without com-
20 pensation from the Department of Commerce, as volun-
21 teers in the performance of the functions authorized in
22 this title.

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

25 (a) REPORT.—The Foundation shall, as soon as prac-
26 ticable after the end of each fiscal year, transmit to the

1 Committee on Commerce, Science, and Transportation of
2 the Senate and the Committee on Natural Resources and
3 the Committee on Energy and Commerce of the House
4 of Representatives a report—

5 (1) describing the proceedings and activities of
6 the Foundation during that fiscal year, including a
7 full and complete statement of its receipts, expendi-
8 tures, and investments; and

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

12 (b) RELIEF WITH RESPECT TO CERTAIN FOUNDA-
13 TION ACTS OR FAILURE TO ACT.—If the Foundation—

14 (1) engages in, or threatens to engage in, any
15 act, practice, or policy that is inconsistent with its
16 purposes set forth in section 111(b), or

17 (2) refuses, fails, or neglects to discharge its
18 obligations under this title, or threatens to do so,
19 the Attorney General may petition in the United States
20 District Court for the District of Columbia for such equi-
21 table relief as may be necessary or appropriate.

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

23 The United States shall not be liable for any debts,
24 defaults, acts, or omissions of the Foundation nor shall

1 the full faith and credit of the United States extend to
2 any obligation of the Foundation.

3 **SEC. 118. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—The Secretary of Commerce
6 shall carry out this title using existing amounts that
7 are appropriated or otherwise made available to the
8 Department of Commerce.

9 (2) USE OF APPROPRIATED FUNDS.—Subject to
10 paragraph (3), amounts made available under para-
11 graph (1) shall be provided to the Foundation to
12 match contributions (whether in currency, services,
13 or property) made to the Foundation, or to a recipi-
14 ent of a grant provided by the Foundation, by pri-
15 vate persons and State and local government agen-
16 cies.

17 (3) PROHIBITION ON USE FOR ADMINISTRATIVE
18 EXPENSES.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B), no Federal funds made
21 available under paragraph (1) may be used by
22 the Foundation for administrative expenses of
23 the Foundation, including for salaries, travel
24 and transportation expenses, and other over-
25 head expenses.

1 (B) EXCEPTION.—The Secretary may
2 allow the use of Federal funds made available
3 under paragraph (1) to pay for salaries during
4 the 18-month period beginning on the date of
5 the enactment of this Act.

6 (b) ADDITIONAL AUTHORIZATION.—

7 (1) IN GENERAL.—In addition to the amounts
8 made available under subsection (a), the Foundation
9 may accept Federal funds from a Federal agency
10 under any other Federal law for use by the Founda-
11 tion to further the assessment, prevention, reduc-
12 tion, and removal of marine debris in accordance
13 with the requirements of this title.

14 (2) USE OF FUNDS ACCEPTED FROM FEDERAL
15 AGENCIES.—Federal funds provided to the Founda-
16 tion under paragraph (1) shall be used by the Foun-
17 dation for matching, in whole or in part, contribu-
18 tions (whether in currency, services, or property)
19 made to the Foundation by private persons and
20 State and local government agencies.

21 (c) PROHIBITION ON USE OF GRANT AMOUNTS FOR
22 LITIGATION AND LOBBYING EXPENSES.—Amounts pro-
23 vided as a grant by the Foundation shall not be used for—

24 (1) any expense related to litigation consistent
25 with Federal-wide cost principles; or

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

4 **SEC. 119. TERMINATION OF AUTHORITY.**

5 The authority of the Foundation under this subtitle
 6 shall terminate on the date that is 10 years after the es-
 7 tablishment of the Foundation, unless the Foundation is
 8 reauthorized by an Act of Congress.

9 **Subtitle B—Genius Prize for Save**
 10 **Our Seas Innovations**

11 **SEC. 121. DEFINITIONS.**

12 In this subtitle:

13 (1) PRIZE COMPETITION.—The term “prize
 14 competition” means the competition for the award of
 15 the Genius Prize for Save Our Seas Innovations es-
 16 tablished under section 122.

17 (2) SECRETARY.—The term “Secretary” means
 18 the Secretary of Commerce.

19 **SEC. 122. GENIUS PRIZE FOR SAVE OUR SEAS INNOVA-**
 20 **TIONS.**

21 (a) IN GENERAL.—

22 (1) IN GENERAL.—Not later than 1 year after
 23 the date of the enactment of this Act, the Secretary
 24 shall establish under section 24 of the Stevenson-

1 Wydler Technology Innovation Act of 1980 (15
2 U.S.C. 3719) a prize competition—

3 (A) to encourage technological innovation
4 with the potential to reduce plastic waste, and
5 associated and potential pollution, and thereby
6 prevent marine debris; and

7 (B) to award 1 or more prizes biennially
8 for projects that advance human understanding
9 and innovation in removing and preventing
10 plastic waste, in one of the categories described
11 in paragraph (2).

12 (2) CATEGORIES FOR PROJECTS.—The cat-
13 egories for projects are:

14 (A) Advancements in materials used in
15 packaging and other products that, if such
16 products enter the coastal or ocean environ-
17 ment, will fully degrade without harming the
18 environment, wildlife, or human health.

19 (B) Innovations in production and pack-
20 aging design that reduce the use of raw mate-
21 rials, increase recycled content, encourage
22 reusability and recyclability, and promote a cir-
23 cular economy.

1 (C) Improvements in marine debris detec-
2 tion, monitoring, and cleanup technologies and
3 processes.

4 (D) Improvements or improved strategies
5 to increase solid waste collection, processing,
6 sorting, recycling, or reuse.

7 (E) New designs or strategies to reduce
8 overall packaging needs and promote reuse.

9 (b) DESIGNATION.—The prize competition estab-
10 lished under subsection (a) shall be known as the “Genius
11 Prize for Save Our Seas Innovations”.

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

14 (1) have a strategy, submitted with the applica-
15 tion or proposal, to move the new technology, proc-
16 ess, design, material, or other product supported by
17 the prize to market-scale deployment;

18 (2) support the concept of a circular economy;
19 and

20 (3) promote development of materials that—

21 (A) can fully degrade in the ocean without
22 harming the environment, wildlife, or human
23 health; and

24 (B) are to be used in fishing gear or other
25 maritime products that have an increased likeli-

1 hood of entering the coastal or ocean environ-
2 ment as unintentional waste.

3 **SEC. 123. AGREEMENT WITH THE MARINE DEBRIS FOUNDA-**
4 **TION.**

5 (a) IN GENERAL.—The Secretary shall offer to enter
6 into an agreement, which may include a grant or coopera-
7 tive agreement, under which the Marine Debris Founda-
8 tion established under title I shall administer the prize
9 competition.

10 (b) REQUIREMENTS.—An agreement entered into
11 under subsection (a) shall comply with the following re-
12 quirements:

13 (1) DUTIES.—The Marine Debris Foundation
14 shall—

15 (A) advertise the prize competition;

16 (B) solicit prize competition participants;

17 (C) administer funds relating to the prize
18 competition;

19 (D) receive Federal and non-Federal
20 funds—

21 (i) to administer the prize competi-
22 tion; and

23 (ii) to award a cash prize;

1 (E) carry out activities to generate con-
2 tributions of non-Federal funds to offset, in
3 whole or in part—

4 (i) the administrative costs of the
5 prize competition; and

6 (ii) the costs of a cash prize;

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

9 (i) Federal agencies with jurisdiction
10 over the prevention of marine debris or the
11 promotion of innovative materials;

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

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

20 (iv) conservation groups, technology
21 companies, research institutions, scientists
22 (including those with expertise in marine
23 environments) institutions of higher edu-
24 cation, industry, or individual stakeholders
25 with an interest in the prevention of ma-

1 rine debris or the promotion of innovative
2 materials;

3 (v) experts in the area of standards
4 development regarding the degradation,
5 breakdown, or recycling of polymers; and

6 (vi) other relevant experts of the
7 Board's choosing;

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

11 (H) provide advice and consultation to the
12 Secretary on the selection of judges under sec-
13 tion 124 based on criteria developed in con-
14 sultation with, and subject to the final approval
15 of, the Secretary;

16 (I) announce 1 or more annual winners of
17 the prize competition;

18 (J) subject to paragraph (2), award 1 or
19 more cash prizes biennially of not less than
20 \$100,000; and

21 (K) protect against unauthorized use or
22 disclosure by the Marine Debris Foundation of
23 any trade secret or confidential business infor-
24 mation of a prize competition participant.

1 (2) ADDITIONAL CASH PRIZES.—The Marine
2 Debris Foundation may award more than 1 cash
3 prize in a year—

4 (A) if the initial cash prize referred to in
5 paragraph (1)(I) and any additional cash prizes
6 are awarded using only non-Federal funds; and

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

12 (3) SOLICITATION OF FUNDS.—The Marine De-
13 bris Foundation—

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

17 (B) may accept a contribution for a cash
18 prize in exchange for the right to name the
19 prize; and

20 (C) shall not give special consideration to
21 any Federal agency or non-Federal entity in ex-
22 change for a donation for a cash prize awarded
23 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
5 prize competition.

6 (b) DETERMINATION BY THE SECRETARY.—The
7 judges appointed under subsection (a) shall not select any
8 annual winner of the prize competition if the Secretary
9 makes a determination that, in any fiscal year, none of
10 the technological advancements entered into the prize
11 competition 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) a statement by the Committee that de-
18 scribes the activities carried out by the Committee
19 relating to the duties described in section 123;

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

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

4 **SEC. 126. AUTHORIZATION OF APPROPRIATIONS.**

5 The Secretary of Commerce shall carry out this title
6 using existing amounts that are appropriated or otherwise
7 made available to the Department of Commerce.

8 **SEC. 127. TERMINATION OF AUTHORITY.**

9 The prize program will terminate after 5 prize com-
10 petition cycles have been completed.

11 **Subtitle C—Other Measures Relat-**
12 **ing to Combating Marine Debris**

13 **SEC. 131. PRIORITIZATION OF MARINE DEBRIS IN EXISTING**
14 **INNOVATION AND ENTREPRENEURSHIP PRO-**
15 **GRAMS.**

16 The Secretary of Commerce, the Secretary of Energy,
17 the EPA Administrator, and the heads of other relevant
18 Federal agencies, shall prioritize efforts to combat marine
19 debris in innovation and entrepreneurship programs estab-
20 lished before the date of the enactment of this Act, includ-
21 ing by using such programs to increase innovation in and
22 the effectiveness of post-consumer materials management,
23 monitoring, detection, and data-sharing related to the
24 prevalence and location of marine debris, demand for recy-
25 cled content, alternative uses for plastic waste, product de-

1 sign, reduction of disposable plastic consumer products
 2 and packaging, ocean biodegradable materials develop-
 3 ment, waste prevention, and cleanup.

4 **SEC. 132. EXPANSION OF DERELICT VESSEL RECYCLING.**

5 Not later than 1 year after the date of the enactment
 6 of this Act, the Under Secretary and the EPA Adminis-
 7 trator shall jointly conduct a study to determine the feasi-
 8 bility of developing a nationwide derelict vessel recycling
 9 program—

- 10 (1) using as a model the fiberglass boat recy-
 11 cling program from the pilot project in Rhode Island
 12 led by Rhode Island Sea Grant and its partners; and
- 13 (2) including, if possible, recycling of vessels
 14 made from materials other than fiberglass.

15 **SEC. 133. INCENTIVE FOR FISHERMEN TO COLLECT AND**
 16 **DISPOSE OF PLASTIC FOUND AT SEA.**

17 (a) IN GENERAL.—The Under Secretary shall estab-
 18 lish a pilot program to assess the feasibility and advis-
 19 ability of providing incentives, such as grants, to fisher-
 20 men based in the United States who incidentally capture
 21 marine debris while at sea—

- 22 (1) to track or keep the debris on board; and
- 23 (2) to dispose of the debris properly on land.

24 (b) SUPPORT FOR COLLECTION AND REMOVAL OF
 25 DERELICT GEAR.—The Under Secretary shall encourage

1 United States efforts, such as the Fishing for Energy net
2 disposal program, that support—

3 (1) collection and removal of derelict fishing
4 gear and other fishing waste;

5 (2) disposal or recycling of such gear and
6 waste; and

7 (3) prevention of the loss of such gear.

8 **SEC. 134. AMENDMENTS TO MARINE DEBRIS PROGRAM.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
10 9(a) of the Marine Debris Act (33 U.S.C. 1958(a)) is
11 amended by—

12 (1) striking “\$10,000,000” and inserting
13 “\$15,000,000”; and

14 (2) striking “5 percent” and inserting “7 per-
15 cent”.

16 (b) ENHANCEMENT OF PURPOSE.—Section 2 of the
17 Marine Debris Act (33 U.S.C. 1951) is amended by strik-
18 ing “marine environment,” and inserting “marine environ-
19 ment (including waters in the jurisdiction of the United
20 States, the high seas, and waters in the jurisdiction of
21 other countries),”.

22 (c) TECHNICAL CORRECTIONS.—Section 3(d)(2) of
23 the Marine Debris Act (33 U.S.C. 1952(d)(2)) is amend-
24 ed—

1 (1) in subparagraph (B), by striking “the
2 matching requirement under subparagraph (A)” and
3 inserting “a matching requirement under subpara-
4 graph (A) or (C)”; and

5 (2) in subparagraph (C), in the matter pre-
6 ceding clause (i), by striking “Notwithstanding sub-
7 paragraph (A)” and inserting “Notwithstanding sub-
8 paragraph (A) and except as provided in subpara-
9 graph (B)”.

10 **SEC. 135. MARINE DEBRIS ON NATIONAL FOREST SYSTEM**
11 **LAND.**

12 (a) SPECIAL-USE AUTHORIZATION.—The Secretary
13 of Agriculture (referred to in this section as the “Sec-
14 retary”) shall not require a volunteer organization to ob-
15 tain a special-use authorization for the removal of any ma-
16 rine debris being stored on National Forest System land.

17 (b) TEMPORARY STORAGE.—Marine debris may be
18 stored on National Forest System land in a location deter-
19 mined by the Secretary for a period of not more than to
20 90 days, which may be extended in 90-day increments with
21 approval by the relevant U.S. Forest Service District
22 Ranger.

23 (c) REQUIREMENTS.—Except as otherwise provided
24 in this section, any activities related to the removal of ma-
25 rine debris from National Forest System land shall be con-

1 ducted in a manner consistent with applicable law and reg-
 2 ulations and subject to such reasonable terms and condi-
 3 tions as the Secretary may require.

4 **Subtitle D—Studies and Reports**

5 **SEC. 141. REPORT ON OPPORTUNITIES FOR INNOVATIVE** 6 **USES OF PLASTIC WASTE.**

7 Not later than 2 years after the date of enactment
 8 of this Act, the Interagency Marine Debris Coordinating
 9 Committee shall submit to Congress a report on innovative
 10 uses for plastic waste in consumer products.

11 **SEC. 142. REPORT ON MICROFIBER POLLUTION.**

12 Not later than 2 years after the date of the enact-
 13 ment of this Act, the Interagency Marine Debris Coordi-
 14 nating Committee shall submit to Congress a report on
 15 microfiber pollution that includes—

- 16 (1) a definition for “microfiber”;
- 17 (2) an assessment of the sources, prevalence,
 18 and causes of microfiber pollution;
- 19 (3) a recommendation for a standardized meth-
 20 odology to measure and estimate the prevalence of
 21 microfiber pollution;
- 22 (4) recommendations for reducing microfiber
 23 pollution; and
- 24 (5) a plan for how Federal agencies, in partner-
 25 ship with other stakeholders, can lead on opportuni-

1 ties to reduce microfiber pollution during the 5-year
2 period beginning on such date of enactment.

3 **SEC. 143. STUDY ON UNITED STATES PLASTIC POLLUTION**
4 **DATA.**

5 (a) IN GENERAL.—The Under Secretary, in consulta-
6 tion with the EPA Administrator and the Secretary of the
7 Interior, shall seek to enter into an arrangement with the
8 National Academies of Sciences, Engineering, and Medi-
9 cine under which the National Academies will undertake
10 a multifaceted study that includes the following:

11 (1) An evaluation of United States contribu-
12 tions to global ocean plastic waste, including types,
13 sources, and geographic variations.

14 (2) An assessment of the prevalence of marine
15 debris and mismanaged plastic waste in saltwater
16 and freshwater United States navigable waterways
17 and tributaries.

18 (3) An examination of the import and export of
19 plastic waste to and from the United States, includ-
20 ing the destinations of the exported plastic waste
21 and the waste management infrastructure and envi-
22 ronmental conditions of these locations.

23 (4) Potential means to reduce United States
24 contributions to global ocean plastic waste.

1 (b) REPORT.—Not later than 18 months after the
 2 date of the enactment of this Act, the Under Secretary
 3 shall submit to Congress a report on the study conducted
 4 under subsection (a) that includes—

- 5 (1) the findings of the National Academies;
- 6 (2) recommendations on knowledge gaps that
 7 warrant further scientific inquiry; and
- 8 (3) recommendations on the potential value of
 9 a national marine debris tracking and monitoring
 10 system and how such a system might be designed
 11 and implemented.

12 **SEC. 144. STUDY ON MASS BALANCE METHODOLOGIES TO**
 13 **CERTIFY CIRCULAR POLYMERS.**

14 (a) IN GENERAL.—The National Institute of Stand-
 15 ards and Technology shall conduct a study of available
 16 mass balance methodologies that are or could be readily
 17 standardized to certify circular polymers.

18 (b) REPORT.—Not later than 1 year after the date
 19 of enactment of this Act, the Institute shall submit to Con-
 20 gress a report on the study conducted under subsection
 21 (a) that includes—

- 22 (1) an identification and assessment of existing
 23 mass balance methodologies, standards, and certifi-
 24 cation systems that are or may be applicable to sup-
 25 ply chain sustainability of polymers, considering the

1 full life cycle of the polymer, and including an exam-
2 ination of—

3 (A) the International Sustainability and
4 Carbon Certification; and

5 (B) the Roundtable on Sustainable Bio-
6 materials; and

7 (2) an assessment of any legal or regulatory
8 barriers to developing a standard and certification
9 system for circular polymers.

10 (c) DEFINITIONS.—In this section:

11 (1) CIRCULAR POLYMERS.—The term “circular
12 polymers” means polymers that can be reused mul-
13 tiple times or converted into a new, higher-quality
14 product.

15 (2) MASS BALANCE METHODOLOGY.—The term
16 “mass balance methodology” means the method of
17 chain of custody accounting designed to track the
18 exact total amount of certain content in products or
19 materials through the production system and to en-
20 sure an appropriate allocation of this content in the
21 finished goods based on auditable bookkeeping.

1 **SEC. 145. REPORT ON SOURCES AND IMPACTS OF DERE-**
 2 **LICT FISHING GEAR.**

3 Not later than 2 years after the date of the enact-
 4 ment of this Act, the Under Secretary shall submit to Con-
 5 gress a report that includes—

6 (1) an analysis of the scale of fishing gear
 7 losses by domestic and foreign fisheries, including—

8 (A) how the amount of gear lost varies
 9 among—

10 (i) domestic and foreign fisheries;

11 (ii) types of fishing gear; and

12 (iii) methods of fishing;

13 (B) how lost fishing gear is transported by
 14 ocean currents; and

15 (C) common reasons fishing gear is lost;

16 (2) an evaluation of the ecological, human
 17 health, and maritime safety impacts of derelict fish-
 18 ing gear, and how those impacts vary across—

19 (A) types of fishing gear;

20 (B) materials used to construct fishing
 21 gear; and

22 (C) geographic location;

23 (3) recommendations on management meas-
 24 ures—

25 (A) to prevent fishing gear losses; and

1 (B) to reduce the impacts of lost fishing
2 gear;

3 (4) an assessment of the cost of implementing
4 such management measures; and

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

7 **TITLE II—ENHANCED GLOBAL**
8 **ENGAGEMENT TO COMBAT**
9 **MARINE DEBRIS**

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

12 It is the policy of the United States to partner, con-
13 sult, and coordinate with foreign governments (at the na-
14 tional and subnational levels), civil society, international
15 organizations, international financial institutions, sub-
16 national coastal communities, commercial and recreational
17 fishing industry leaders, and the private sector, in a con-
18 certed effort—

19 (1) to increase knowledge and raise awareness
20 about—

21 (A) the linkages between the sources of
22 plastic waste, mismanaged waste and post-con-
23 sumer materials, and marine debris; and

24 (B) the upstream and downstream causes
25 and effects of plastic waste, mismanaged waste

1 and post-consumer materials, and marine debris
2 on marine environments, marine wildlife,
3 human health, and economic development;
4 (2) to support—

5 (A) strengthening systems for reducing the
6 generation of plastic waste and recovering,
7 managing, reusing, and recycling plastic waste,
8 marine debris, and microfiber pollution in the
9 world's oceans, emphasizing upstream post-con-
10 sumer materials management solutions—

11 (i) to decrease plastic waste at its
12 source; and

13 (ii) to prevent leakage of plastic waste
14 into the environment;

15 (B) advancing the utilization and avail-
16 ability of safe and affordable reusable alter-
17 natives to disposable plastic products in com-
18 merce, to the extent practicable, and with con-
19 sideration for the potential impacts of such al-
20 ternatives, and other efforts to prevent marine
21 debris;

22 (C) deployment of and access to advanced
23 technologies to capture value from post-con-
24 sumer materials and municipal solid waste

1 streams through mechanical and other recycling
 2 systems;

3 (D) access to information on best practices
 4 in post-consumer materials management, op-
 5 tions for post-consumer materials management
 6 systems financing, and options for participating
 7 in public-private partnerships; and

8 (E) implementation of management meas-
 9 ures to reduce derelict fishing gear, the loss of
 10 fishing gear, and other sources of pollution gen-
 11 erated from marine activities and to increase
 12 proper disposal and recycling of fishing gear;
 13 and

14 (3) to work cooperatively with international
 15 partners—

16 (A) on establishing—

17 (i) measurable targets for reducing
 18 marine debris, lost fishing gear, and plastic
 19 waste from all sources; and

20 (ii) action plans to achieve those tar-
 21 gets with a mechanism to provide regular
 22 reporting;

23 (B) to promote consumer education,
 24 awareness, and outreach to prevent marine de-
 25bris;

1 (C) to reduce marine debris by improving
2 advance planning for marine debris events and
3 responses to such events; and

4 (D) to share best practices in post-con-
5 sumer materials management systems to pre-
6 vent the entry of plastic waste into the environ-
7 ment.

8 **SEC. 202. PRIORITIZATION OF EFFORTS AND ASSISTANCE**
9 **TO COMBAT MARINE DEBRIS AND IMPROVE**
10 **PLASTIC WASTE MANAGEMENT.**

11 (a) IN GENERAL.—The Secretary of State shall, in
12 coordination with the Administrator of the United States
13 Agency for International Development, as appropriate,
14 and the officials specified in subsection (b)—

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

17 (2) develop strategies and implement programs
18 that prioritize engagement and cooperation with for-
19 eign governments, subnational and local stake-
20 holders, and the private sector to expedite efforts
21 and assistance in foreign countries—

22 (A) to partner with, encourage, advise and
23 facilitate national and subnational governments
24 on the development and execution, where prac-

1 ticable, of national projects, programs and ini-
 2 tiatives to—

3 (i) improve the capacity, security, and
 4 standards of operations of post-consumer
 5 materials management systems;

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

12 (iii) identify the operational challenges
 13 of post-consumer materials management
 14 systems and develop policy and pro-
 15 grammatic solutions;

16 (iv) end intentional or unintentional
 17 incentives for municipalities, industries,
 18 and individuals to improperly dispose of
 19 plastic waste; and

20 (v) conduct outreach campaigns to
 21 raise public awareness of the importance of
 22 proper waste disposal and the reduction of
 23 plastic waste;

24 (B) to facilitate the involvement of munici-
 25 palities and industries in improving solid waste

1 reduction, collection, disposal, and reuse and re-
2 cycling projects, programs, and initiatives;

3 (C) to partner with and provide technical
4 assistance to investors, and national and local
5 institutions, including private sector actors, to
6 develop new business opportunities and solu-
7 tions to specifically reduce plastic waste and ex-
8 pand solid waste and post-consumer materials
9 management best practices in foreign countries
10 by—

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

16 (ii) improving and expanding the ca-
17 pacity of foreign industries to responsibly
18 employ post-consumer materials manage-
19 ment practices;

20 (iii) improving and expanding the ca-
21 pacity and transparency of tracking mech-
22 anisms for marine debris to reduce the im-
23 pacts on the marine environment;

24 (iv) eliminating incentives that under-
25 mine responsible post-consumer materials

1 management practices and lead to im-
2 proper waste disposal practices and leak-
3 age;

4 (v) building the capacity of coun-
5 tries—

6 (I) to reduce, monitor, regulate,
7 and manage waste, post-consumer
8 materials and plastic waste, and pollu-
9 tion appropriately and transparently,
10 including imports of plastic waste
11 from the United States and other
12 countries;

13 (II) to encourage private invest-
14 ment in post-consumer materials man-
15 agement and reduction; and

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

23 (vi) promoting safe and affordable re-
24 usable alternatives to disposable plastic
25 products, to the extent practicable; and

1 (D) to research, identify, and facilitate op-
2 portunities to promote collection and proper
3 disposal of damaged or derelict fishing gear.

4 (b) OFFICIALS SPECIFIED.—The officials specified in
5 this subsection are the following:

6 (1) The United States Trade Representative.

7 (2) The Under Secretary.

8 (3) The EPA Administrator.

9 (4) The Director of the Trade and Development
10 Agency.

11 (5) The President and the Board of Directors
12 of the Overseas Private Investment Corporation or
13 the Chief Executive Officer and the Board of Direc-
14 tors of the United States International Development
15 Finance Corporation, as appropriate.

16 (6) The Chief Executive Officer and the Board
17 of Directors of the Millennium Challenge Corpora-
18 tion.

19 (7) The heads of such other agencies as the
20 Secretary of State considers appropriate.

21 (c) PRIORITIZATION.—In carrying out subsection (a),
22 the officials specified in subsection (b) shall prioritize as-
23 sistance to countries with, and regional organizations in
24 regions with—

25 (1) rapidly developing economies; and

1 (2) rivers and coastal areas that are the most
 2 severe sources of marine debris, as identified by the
 3 best available science.

4 (d) EFFECTIVENESS MEASUREMENT.—In
 5 prioritizing and expediting efforts and assistance under
 6 this section, the officials specified in subsection (b) shall
 7 use clear, accountable, and metric-based targets to meas-
 8 ure the effectiveness of guarantees and assistance in
 9 achieving the policy described in section 201.

10 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
 11 tion may be construed to authorize the modification of or
 12 the imposition of limits on the portfolios of any agency
 13 or institution led by an official specified in subsection (b).

14 **SEC. 203. UNITED STATES LEADERSHIP IN INTERNATIONAL**
 15 **FORA.**

16 In implementing the policy described in section 201,
 17 the President shall direct the United States representa-
 18 tives to appropriate international bodies and conferences
 19 (including the United Nations Environment Programme,
 20 the Association of Southeast Asian Nations, the Asia Pa-
 21 cific Economic Cooperation, the Group of 7, the Group
 22 of 20, the Organization for Economic Co-Operation and
 23 Development (OECD), and the Our Ocean Conference) to
 24 use the voice, vote, and influence of the United States,

1 consistent with the broad foreign policy goals of the
2 United States, to advocate that each such body—

3 (1) commit to significantly increasing efforts to
4 promote investment in well-designed post-consumer
5 materials management and plastic waste elimination
6 and mitigation projects and services that increase
7 access to safe post-consumer materials management
8 and mitigation services, in partnership with the pri-
9 vate sector and consistent with the constraints of
10 other countries;

11 (2) address the post-consumer materials man-
12 agement needs of individuals and communities where
13 access to municipal post-consumer materials man-
14 agement services is historically impractical or cost-
15 prohibitive;

16 (3) enhance coordination with the private sec-
17 tor—

18 (A) to increase access to solid waste and
19 post-consumer materials management services;

20 (B) to utilize safe and affordable reusable
21 alternatives to disposable plastic products, to
22 the extent practicable;

23 (C) to encourage and incentivize the use of
24 recycled content; and

1 (D) to grow economic opportunities and
 2 develop markets for recyclable, reusable, and
 3 repurposed plastic waste materials and other ef-
 4 forts that support the circular economy;

5 (4) provide technical assistance to foreign regu-
 6 latory authorities and governments to remove unnec-
 7 essary barriers to investment in otherwise commer-
 8 cially-viable projects related to—

9 (A) post-consumer materials management;

10 (B) the use of safe and affordable reusable
 11 alternatives to disposable plastic products; or

12 (C) beneficial reuse of solid waste, plastic
 13 waste, post-consumer materials, plastic prod-
 14 ucts, and refuse;

15 (5) use clear, accountable, and metric-based
 16 targets to measure the effectiveness of such projects;
 17 and

18 (6) engage international partners in an existing
 19 multilateral forum (or, if necessary, establish
 20 through an international agreement a new multilat-
 21 eral forum) to improve global cooperation on—

22 (A) creating tangible metrics for evaluating
 23 efforts to reduce plastic waste and marine de-
 24 bris;

1 (B) developing and implementing best
2 practices at the national and subnational levels
3 of foreign countries, particularly countries with
4 little to no solid waste or post-consumer mate-
5 rials management systems, facilities, or policies
6 in place for—

7 (i) collecting, disposing, recycling, and
8 reusing plastic waste and post-consumer
9 materials, including building capacity for
10 improving post-consumer materials man-
11 agement; and

12 (ii) integrating alternatives to dispos-
13 able plastic products, to the extent prac-
14 ticable;

15 (C) encouraging the development of stand-
16 ards and practices, and increasing recycled con-
17 tent percentage requirements for disposable
18 plastic products;

19 (D) integrating tracking and monitoring
20 systems into post-consumer materials manage-
21 ment systems;

22 (E) fostering research to improve scientific
23 understanding of—

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

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

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

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

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

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

22 (G) collaborating on technological advances
23 in post-consumer materials management and
24 recycled plastics;

1 (H) growing economic opportunities and
 2 developing markets for recyclable, reusable, and
 3 repurposed plastic waste and post-consumer
 4 materials and other efforts that support the cir-
 5 cular economy; and

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

- 12 (i) solid waste;
- 13 (ii) post-consumer materials;
- 14 (iii) plastic waste; and
- 15 (iv) marine debris.

16 **SEC. 204. ENHANCING INTERNATIONAL OUTREACH AND**
 17 **PARTNERSHIP OF UNITED STATES AGENCIES**
 18 **INVOLVED IN MARINE DEBRIS ACTIVITIES.**

19 (a) FINDINGS.—Congress recognizes the success of
 20 the marine debris program of the National Oceanic and
 21 Atmospheric Administration and the Trash-Free Waters
 22 program of the Environmental Protection Agency.

23 (b) AUTHORIZATION OF EFFORTS TO BUILD FOR-
 24 EIGN PARTNERSHIPS.—The Under Secretary and the
 25 EPA Administrator shall work with the Secretary of State

1 and the Administrator of the United States Agency for
2 International Development to build partnerships, as ap-
3 propriate, with the governments of foreign countries and
4 to support international efforts to combat marine debris.

5 **SEC. 205. NEGOTIATION OF NEW INTERNATIONAL AGREE-**
6 **MENTS.**

7 Not later than 1 year after the date of the enactment
8 of this Act, the Secretary of State shall submit to Con-
9 gress a report—

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

15 (2) describing the provisions that could be in-
16 cluded in such agreements; and

17 (3) assessing potential parties to such agree-
18 ments.

19 **SEC. 206. CONSIDERATION OF MARINE DEBRIS IN NEGOTI-**
20 **ATING INTERNATIONAL AGREEMENTS.**

21 In negotiating any relevant international agreement
22 with any country or countries after the date of the enact-
23 ment of this Act, the President shall, as appropriate—

1 (1) consider the impact of land-based sources of
 2 plastic waste and other solid waste from that coun-
 3 try on the marine and aquatic environment; and

4 (2) ensure that the agreement strengthens ef-
 5 forts to eliminate land-based sources of plastic waste
 6 and other solid waste from that country that impact
 7 the marine and aquatic environment.

8 **TITLE III—IMPROVING DOMES-**
 9 **TIC INFRASTRUCTURE TO**
 10 **PREVENT MARINE DEBRIS**

11 **SEC. 301. STRATEGY FOR IMPROVING POST-CONSUMER MA-**
 12 **TERIALS MANAGEMENT AND WATER MAN-**
 13 **AGEMENT.**

14 (a) IN GENERAL.—Not later than 1 year after the
 15 date of enactment of this Act, the EPA Administrator
 16 shall, in consultation with stakeholders, develop a strategy
 17 to improve post-consumer materials management and in-
 18 frastructure for the purpose of reducing plastic waste and
 19 other post-consumer materials in waterways and oceans.

20 (b) RELEASE.—On development of the strategy
 21 under subsection (a), the EPA Administrator shall—

22 (1) distribute the strategy to States; and

23 (2) make the strategy publicly available for use
 24 by—

1 (A) for-profit private entities involved in
 2 post-consumer materials management; and

3 (B) other nongovernmental entities.

4 **SEC. 302. SENSE OF THE SENATE FOR ISSUES TO BE IN-**
 5 **CLUDED IN STRATEGY FOR POST-CONSUMER**
 6 **MATERIALS MANAGEMENT AND WATER MAN-**
 7 **AGEMENT.**

8 It is the sense of the Senate that the strategy under
 9 section 301 should address, for the purpose of reducing
 10 plastic waste and other post-consumer materials in water-
 11 ways and oceans—

12 (1) the harmonization of post-consumer mate-
 13 rials management protocols, including—

14 (A) an evaluation of waste streams to de-
 15 termine which waste streams are most likely to
 16 become marine debris; and

17 (B) a determination of how to reduce the
 18 generation of products that contribute to those
 19 waste streams;

20 (2) best practices for the collection of post-con-
 21 sumer recyclables;

22 (3) improved quality and sorting of post-con-
 23 sumer recyclable materials through opportunities
 24 such as—

25 (A) education and awareness programs;

1 (B) improved infrastructure, including new
2 equipment and innovative technologies for proc-
3 essing of recyclable materials;

4 (C) enhanced markets for recycled mate-
5 rial; and

6 (D) standardized measurements;

7 (4) increasing capacity, where practicable, for
8 more types of plastic (including plastic films) and
9 other materials to be reduced, collected, processed,
10 and recycled or repurposed into usable materials or
11 products;

12 (5) the development of new strategies and pro-
13 grams that prioritize engagement and cooperation
14 with States and the private sector to expedite efforts
15 and assistance for States to partner with, encourage,
16 advise, and facilitate the development and execution,
17 where practicable, of projects, programs, and initia-
18 tives—

19 (A) to improve operations for post-con-
20 sumer materials management and reduce the
21 generation of plastic waste;

22 (B) to monitor how well post-consumer
23 materials management entities are functioning;

24 (C)(i) to identify the operational challenges
25 of post-consumer materials management; and

1 (ii) to develop policy and programmatic so-
2 lutions to those challenges; and

3 (D) to end intentional and unintentional
4 incentives to improperly dispose of post-con-
5 sumer materials;

6 (6) strengthening markets for products with
7 high levels of recycled plastic content; and

8 (7) the consideration of complementary activi-
9 ties, such as—

10 (A) reducing waste upstream and at the
11 source of the waste, including anti-litter initia-
12 tives;

13 (B) developing effective post-consumer ma-
14 terials management provisions in stormwater
15 management plans;

16 (C) capturing post-consumer materials at
17 stormwater inlets, at stormwater outfalls, or in
18 bodies of water;

19 (D) providing education and outreach re-
20 lating to post-consumer materials movement
21 and reduction;

22 (E) monitoring or modeling post-consumer
23 material flows and the reduction of post-con-
24 sumer materials resulting from the implementa-
25 tion of best management practices; and

1 (F) incentives for manufacturers to design
2 packaging and consumer goods that can more
3 easily be reused, recycled, repurposed, or other-
4 wise removed from the waste stream after their
5 initial use.

6 **SEC. 303. GRANT PROGRAMS.**

7 (a) POST-CONSUMER MATERIALS MANAGEMENT IN-
8 FRASTRUCTURE GRANT PROGRAM.—

9 (1) IN GENERAL.—The EPA Administrator
10 may provide grants to States, as defined in section
11 2, to implement the strategy developed under section
12 301(a) and—

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

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

19 (C) to deploy waste interceptor tech-
20 nologies, such as “trash wheels” and litter
21 traps, to manage the collection and cleanup of
22 aggregated waste from waterways; and

23 (D) for such other purposes as the EPA
24 Administrator determines to be appropriate.

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

6 (3) CONTENTS OF APPLICATIONS.—In devel-
7 oping application requirements, the EPA Adminis-
8 trator shall consider requesting that a State appli-
9 cant provide—

10 (A) a description of—

11 (i) the project or projects to be car-
12 ried out by entities receiving the grant;
13 and

14 (ii) how the project or projects would
15 result in the generation of less plastic
16 waste;

17 (B) a description of how the funds will
18 support disadvantaged communities; and

19 (C) an explanation of any limitations, such
20 as flow control measures, that restrict access to
21 reusable or recyclable materials.

22 (4) REPORT TO CONGRESS.—Not later than
23 January 1, 2023, the EPA Administrator shall sub-
24 mit to the Committee on Environment and Public
25 Works of the Senate and the Committee on Trans-

1 portation and Infrastructure of the House of Rep-
2 resentatives a report that includes—

3 (A) a description of the activities carried
4 out under this subsection;

5 (B) estimates as to how much plastic
6 waste was prevented from entering the oceans
7 and other waterways as a result of activities
8 funded by the grant; and

9 (C) a recommendation on the utility of
10 evolving the grant program into a new waste
11 management State revolving fund.

12 (b) DRINKING WATER INFRASTRUCTURE GRANTS.—

13 (1) IN GENERAL.—The EPA Administrator
14 may provide competitive grants to units of local gov-
15 ernment, including units of local government that
16 own treatment works (as defined in section 212 of
17 the Federal Water Pollution Control Act (33 U.S.C.
18 1292)), Indian Tribes, and public water systems (as
19 defined in section 1401 of the Safe Drinking Water
20 Act (42 U.S.C. 300f)), as applicable, to support im-
21 provements in reducing and removing plastic waste
22 and post-consumer materials, including microplastics
23 and microfibers, from drinking water, including
24 planning, design, construction, technical assistance,
25 and planning support for operational adjustments.

1 (2) APPLICATIONS.—To be eligible to receive a
2 grant under paragraph (1), an applicant shall sub-
3 mit to the EPA Administrator an application at
4 such time, in such manner, and containing such in-
5 formation as the EPA Administrator may require.

6 (c) WASTEWATER INFRASTRUCTURE GRANTS.—

7 (1) IN GENERAL.—The EPA Administrator
8 may provide grants to units of local government, in-
9 cluding units of local government that own treat-
10 ment works (as defined in section 212 of the Federal
11 Water Pollution Control Act (33 U.S.C. 1292)), In-
12 dian Tribes, and public water systems (as defined in
13 section 1401 of the Safe Drinking Water Act (42
14 U.S.C. 300f)), as applicable, to support improve-
15 ments in reducing and removing plastic waste and
16 post-consumer materials, including microplastics and
17 microfibers, from wastewater.

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

23 (d) TRASH-FREE WATERS GRANTS.—

1 (1) IN GENERAL.—The EPA Administrator
2 may provide grants to units of local government, In-
3 dian Tribes, and nonprofit organizations—

4 (A) to support projects to reduce the quan-
5 tity of solid waste in bodies of water by reduc-
6 ing the quantity of waste at the source, includ-
7 ing through anti-litter initiatives;

8 (B) to enforce local post-consumer mate-
9 rials management ordinances;

10 (C) to implement State or local policies re-
11 lating to solid waste;

12 (D) to capture post-consumer materials at
13 stormwater inlets, at stormwater outfalls, or in
14 bodies of water;

15 (E) to provide education and outreach
16 about post-consumer materials movement and
17 reduction; and

18 (F) to monitor or model flows of post-con-
19 sumer materials, including monitoring or mod-
20 eling a reduction in trash as a result of the im-
21 plementation of best management practices for
22 the reduction of plastic waste and other post-
23 consumer materials in sources of drinking
24 water.

1 (2) APPLICATIONS.—To be eligible to receive a
 2 grant under paragraph (1), an applicant shall sub-
 3 mit to the EPA Administrator an application at
 4 such time, in such manner, and containing such in-
 5 formation as the EPA Administrator may require.

6 (e) APPLICABILITY OF FEDERAL LAW.—

7 (1) IN GENERAL.—The EPA Administrator
 8 shall ensure that all laborers and mechanics em-
 9 ployed on projects funded directly, or assisted in
 10 whole or in part, by a grant established by this sec-
 11 tion shall be paid wages at rates not less than those
 12 prevailing on projects of a character similar in the
 13 locality as determined by the Secretary of Labor in
 14 accordance with subchapter IV of chapter 31 of part
 15 A of subtitle II of title 40, United States Code.

16 (2) AUTHORITY.—With respect to the labor
 17 standards specified in paragraph (1), the Secretary
 18 of Labor shall have the authority and functions set
 19 forth in Reorganization Plan Numbered 14 of 1950
 20 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of
 21 title 40, United States Code.

22 (f) LIMITATION ON USE OF FUNDS.—A grant under
 23 this section may not be used (directly or indirectly) as a
 24 source of payment (in whole or in part) of, or security
 25 for, an obligation the interest on which is excluded from

1 gross income under section 103 of the Internal Revenue
2 Code of 1986.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—Subject to paragraph (2),
5 there are authorized to be appropriated—

6 (A) for the program described subsection
7 (a), \$55,000,000 for each of fiscal years 2021
8 through 2025; and

9 (B) for each of the programs described
10 subsections (b), (c), and (d), \$10,000,000 for
11 each of fiscal years 2021 through 2025.

12 (2) NO IMPACT ON OTHER FEDERAL FUNDS.—

13 (A) IN GENERAL.—No funds shall be made
14 available under paragraph (1) to carry out sub-
15 sections (b) and (c) in a fiscal year if the total
16 amount made available to carry out the pro-
17 grams described in subparagraph (B) for that
18 fiscal year is less than the total amount made
19 available to carry out the programs described in
20 subparagraph (B) for fiscal year 2019.

21 (B) PROGRAMS DESCRIBED.—The pro-
22 grams referred to in subparagraph (A) are—

23 (i) State drinking water treatment re-
24 volving loan funds established under sec-

tion 1452 of the Safe Drinking Water Act
(42 U.S.C. 300j–12);

(ii) programs for assistance for small
and disadvantaged communities under sub-
sections (a) through (j) of section 1459A
of the Safe Drinking Water Act (42 U.S.C.
300j–19a); and

(iii) State water pollution control re-
volving funds established under title VI of
the Federal Water Pollution Control Act
(33 U.S.C. 1381 et seq.).

**SEC. 304. STUDY ON REPURPOSING PLASTIC WASTE IN IN-
FRASTRUCTURE.**

(a) IN GENERAL.—The Secretary of Transportation
(referred to in this section as the “Secretary”) and the
EPA Administrator shall jointly enter into an arrange-
ment with the National Academies of Sciences, Engineer-
ing, and Medicine under which the National Academies
will—

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

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

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

1 (i) the use of plastic waste materials
2 described in that paragraph;

3 (ii) infrastructure projects in which
4 the use of plastic waste has been applied;
5 and

6 (iii) projects in which the use of plas-
7 tic waste has been incorporated into or
8 with other infrastructure materials;

9 (B) assess—

10 (i) the effectiveness and utility of the
11 uses of plastic waste described in that
12 paragraph;

13 (ii) the extent to which plastic waste
14 materials are consistent with recognized
15 specifications for infrastructure construc-
16 tion and other recognized standards;

17 (iii) relevant impacts of plastic waste
18 materials compared to non-waste plastic
19 materials;

20 (iv) the health, safety, and environ-
21 mental impacts of—

22 (I) plastic waste on humans and
23 animals; and

24 (II) the increased use of plastic
25 waste for infrastructure;

1 (v) the ability of plastic waste infra-
2 structure to withstand natural disasters,
3 extreme weather events, and other hazards;
4 and

5 (vi) plastic waste in infrastructure
6 through an economic analysis; and

7 (C) make recommendations with respect to
8 what standards or matters may need to be ad-
9 dressed with respect to ensuring human and
10 animal health and safety from the use of plastic
11 waste in infrastructure.

12 (b) REPORT REQUIRED.—Not later than 2 years
13 after the date of enactment of this Act and subject to the
14 availability of appropriations, the Secretary and the EPA
15 Administrator shall submit to Congress a report on the
16 study conducted under subsection (a).

17 **SEC. 305. STUDY ON EFFECTS OF MICROPLASTICS IN FOOD**
18 **SUPPLIES AND SOURCES OF DRINKING**
19 **WATER.**

20 (a) IN GENERAL.—The EPA Administrator, in con-
21 sultation with the Under Secretary, shall seek to enter into
22 an arrangement with the National Academies of Sciences,
23 Engineering, and Medicine under which the National
24 Academies will conduct a human health and environmental

1 risk assessment on microplastics, including microfibers, in
2 food supplies and sources of drinking water.

3 (b) REPORT REQUIRED.—Not later than 2 years
4 after the date of enactment of this Act, the EPA Adminis-
5 trator shall submit to Congress a report on the study con-
6 ducted under subsection (a) that includes—

7 (1) a science-based definition of “microplastics”
8 that can be adopted in federally supported moni-
9 toring and future assessments supported or con-
10 ducted by a Federal agency;

11 (2) recommendations for standardized moni-
12 toring, testing, and other necessary protocols relat-
13 ing to microplastics;

14 (3)(A) an assessment of whether microplastics
15 are currently present in the food supplies and
16 sources of drinking water of United States con-
17 sumers; and

18 (B) if the assessment under subparagraph (A)
19 is positive—

20 (i) the extent to which microplastics are
21 present in the food supplies and sources of
22 drinking water; and

23 (ii) an assessment of the type, source,
24 prevalence, and risk of microplastics in the food
25 supplies and sources of drinking water;

1 (4) an assessment of the risk posed, if any, by
 2 the presence of microplastics in the food supplies
 3 and sources of drinking water of United States con-
 4 sumers that includes—

5 (A) an identification of the most signifi-
 6 cant sources of those microplastics; and

7 (B) a review of the best available science
 8 to determine any potential hazards of micro-
 9 plastics in the food supplies and sources of
 10 drinking water of United States consumers; and

11 (5) a measurement of—

12 (A) the quantity of environmental chemi-
 13 cals that absorb to microplastics; and

14 (B) the quantity described in subpara-
 15 graph (A) that would be available for human
 16 exposure through food supplies or sources of
 17 drinking water.

18 **SEC. 306. REPORT ON ELIMINATING BARRIERS TO IN-**
 19 **CREASE THE COLLECTION OF RECYCLABLE**
 20 **MATERIALS.**

21 Not later than 1 year after the date of enactment
 22 of this Act, the EPA Administrator shall submit to Con-
 23 gress a report describing—

24 (1) the economic, educational, technological, re-
 25 source availability, legal, or other barriers to increas-

1 ing the collection, processing, and use of recyclable
2 materials; and

3 (2) recommendations to overcome the barriers
4 described under paragraph (1).

5 **SEC. 307. REPORT ON ECONOMIC INCENTIVES TO SPUR DE-**
6 **VELOPMENT OF NEW END-USE MARKETS FOR**
7 **RECYCLED PLASTICS.**

8 Not later than 1 year after the date of enactment
9 of this Act, the EPA Administrator shall submit to Con-
10 gress a report describing the most efficient and effective
11 economic incentives to spur the development of additional
12 new end-use markets for recyclable plastics (including
13 plastic film), including the use of increased recycled con-
14 tent by manufacturers in the production of plastic goods
15 and packaging.

16 **SEC. 308. REPORT ON MINIMIZING THE CREATION OF NEW**
17 **PLASTIC WASTE.**

18 (a) IN GENERAL.—The EPA Administrator, in co-
19 ordination with the Interagency Marine Debris Coordi-
20 nating Committee and the National Institute of Standards
21 and Technology, shall conduct a study on minimizing the
22 creation of new plastic waste.

23 (b) REPORT.—Not later than 2 years after the date
24 of enactment of this Act, the EPA Administrator shall

1 submit to Congress a report on the study conducted under
2 subsection (a) that includes—

3 (1) an estimate of the current and projected
4 United States consumption of plastics, by type of
5 plastic, including consumer food products;

6 (2) an estimate of the environmental effects
7 and impacts of plastic use in relation to other mate-
8 rials;

9 (3) an estimate of current and projected future
10 recycling rates of plastics, by type of plastic;

11 (4) an assessment of opportunities to minimize
12 the creation of new plastic waste, including con-
13 sumer food products, by reducing, recycling, reusing,
14 refilling, refurbishing, or capturing plastic that
15 would otherwise be part of a waste stream; and

16 (5) an assessment of what recycled content
17 standards for plastic are technologically and eco-
18 nomically feasible, and the impact of the standards
19 on recycling rates.

Passed the Senate January 9, 2020.

Attest:

Secretary.

116TH CONGRESS
2D SESSION

S. 1982

AN ACT

To improve efforts to combat marine debris, and
for other purposes.