

**Suspend the Rules and Pass the Bill, S. 1982, with an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1982

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2020

Referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, Space, and Technology, Agriculture, Natural Resources, Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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—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-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

12 (C) aim for the elimination of waste  
13 through the superior design of materials, prod-  
14 ucts, and systems (including business models).

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

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

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

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

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

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

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

6 (C) marine debris caused by an intentional  
7 or grossly negligent act or acts that causes sub-  
8 stantial economic or environmental harm.

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

11 (A) a State;

12 (B) an Indian Tribe;

13 (C) a territory of the United States;

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

18 (E) a foreign government;

19 (F) a private for-profit entity;

20 (G) a nonprofit organization; or

21 (H) a private individual.

22 (8) NONPROFIT ORGANIZATION.—The term  
23 “nonprofit organization” means an organization that  
24 is described in section 501(c) of the Internal Rev-

1           enue Code of 1986 and exempt from tax under sec-  
2           tion 501(a) of such Code.

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

10                   (A) collection;

11                   (B) transport;

12                   (C) safe disposal of waste that cannot be  
13           recovered, reused, recycled, repaired, or refurb-  
14           ished; and

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

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

19                   (A) a State;

20                   (B) an Indian Tribe;

21                   (C) the District of Columbia;

22                   (D) a territory or possession of the United  
23           States; or

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

1 (11) UNDER SECRETARY.—The term “Under  
2 Secretary” means the Under Secretary of Commerce  
3 for Oceans and Atmosphere and Administrator of  
4 the National Oceanic and Atmospheric Administra-  
5 tion.

## 6 **TITLE I—COMBATING MARINE** 7 **DEBRIS**

### 8 **Subtitle A—Amendments to the** 9 **Marine Debris Act**

#### 10 **SEC. 101. AMENDMENTS TO THE MARINE DEBRIS ACT.**

11 The Marine Debris Act (33 U.S.C. 1951 et seq.) is  
12 amended—

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

18 (2) in section 9(a)—

19 (A) by striking “\$10,000,000” and insert-  
20 ing “\$15,000,000”; and

21 (B) by striking “5 percent” and inserting  
22 “7 percent”; and

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

1 **“SEC. 10. PRIORITIZATION OF MARINE DEBRIS IN EXISTING**  
2 **INNOVATION AND ENTREPRENEURSHIP PRO-**  
3 **GRAMS.**

4 “In carrying out any relevant innovation and entre-  
5 preneurship programs that improve the innovation, effec-  
6 tiveness, and efficiency of the Marine Debris Program es-  
7 tablished under section 3 without undermining the pur-  
8 pose for which such program was established, the Sec-  
9 retary of Commerce, the Secretary of Energy, the Admin-  
10 istrator of the Environmental Protection Agency, and the  
11 heads of other relevant Federal agencies, shall prioritize  
12 efforts to combat marine debris, including by—

13 “(1) increasing innovation in methods and the  
14 effectiveness of efforts to identify, determine sources  
15 of, assess, prevent, reduce, and remove marine de-  
16 bris; and

17 “(2) addressing the impacts of marine debris  
18 on—

19 “(A) the economy of the United States;

20 “(B) the marine environment; and

21 “(C) navigation safety.”.



1                   **Subtitle B—Marine Debris**  
2                   **Foundation**

3   **SEC. 111. ESTABLISHMENT AND PURPOSES OF FOUNDA-**  
4                   **TION.**

5           (a) ESTABLISHMENT.—There is established the Ma-  
6 rine Debris Foundation (in this title referred to as the  
7 “Foundation”). The Foundation is a charitable and non-  
8 profit organization and is not an agency or establishment  
9 of the United States.

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

12               (1) to encourage, accept, and administer private  
13 gifts of property for the benefit of, or in connection  
14 with, the activities and services of the National Oce-  
15 anic and Atmospheric Administration under the Ma-  
16 rine Debris Program established under section 3 of  
17 the Marine Debris Act (33 U.S.C. 1952), and other  
18 relevant programs and agencies;

19               (2) to undertake and conduct such other activi-  
20 ties as will augment efforts of the National Oceanic  
21 and Atmospheric Administration to assess, prevent,  
22 reduce, and remove marine debris and address the  
23 adverse impacts of marine debris on the economy of  
24 the United States, the marine environment, and  
25 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 ju-  
10          risdiction of other countries), and navigation safety;

11          (4) subject to an agreement with the Secretary  
12          of Commerce, administer the Genius Prize for Save  
13          Our 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  
20           to as the “Board”), which shall consist of the Under  
21           Secretary and 12 additional Directors appointed in  
22           accordance with subsection (b) from among individ-  
23           uals who are United States citizens.

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

1 membership of the Board shall represent diverse  
2 points of view relating to the assessment, prevention,  
3 reduction, and removal of marine debris.

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

8 (b) APPOINTMENT AND TERMS.—

9 (1) APPOINTMENT.—Subject to paragraph (2),  
10 after consulting with the EPA Administrator, the  
11 Director of the United States Fish and Wildlife  
12 Service, the Assistant Secretary of State for the Bu-  
13 reau of Oceans and International Environmental and  
14 Scientific Affairs, and the Administrator of the  
15 United States Agency for International Develop-  
16 ment, and considering the recommendations sub-  
17 mitted by the Board, the Under Secretary shall ap-  
18 point 12 Directors who meet the criteria established  
19 by subsection (a), of whom—

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

1 (B) at least 2 shall be educated or experi-  
2 enced in the assessment, prevention, reduction,  
3 or 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 conserva-  
7 tion 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  
15 years.

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

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

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

24 and

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

1 (3) VACANCIES.—

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

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

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

12 (5) CONSULTATION BEFORE REMOVAL.—The  
13 Under Secretary may remove a Director from the  
14 Board only after consultation with the Assistant  
15 Secretary of State for the Bureau of Oceans and  
16 International Environmental and Scientific Affairs,  
17 the Director of the United States Fish and Wildlife  
18 Service, and the EPA Administrator.

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

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

24 (e) MEETINGS.—The Board shall meet at the call of  
25 the Chairman at least once a year. If a Director misses

1 3 consecutive regularly scheduled meetings, that individual  
2 may be removed from the Board and that vacancy filled  
3 in accordance with subsection (b).

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

9 (g) GENERAL POWERS.—

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

12 (A) appointing officers and employees;

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

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

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

22 (A) Officers and employees may not be ap-  
23 pointed until the Foundation has sufficient  
24 funds to pay them for their service. Officers  
25 and employees of the Foundation shall be ap-

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

8 (B) The first officer or employee appointed  
9 by the Board shall be the Secretary of the  
10 Board who—

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

13 (ii) shall be knowledgeable and experi-  
14 enced in matters relating to the assess-  
15 ment, prevention, reduction, and removal  
16 of marine debris.

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

18 (a) IN GENERAL.—The Foundation—

19 (1) shall have perpetual succession;

20 (2) may conduct business throughout the sev-  
21 eral States, territories, and possessions of the  
22 United States and abroad; and

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

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

6 (c) POWERS.—

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

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

18 (B) to acquire by purchase or exchange  
19 any real or personal property or interest there-  
20 in;

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



1 (D) to deposit any funds provided to the  
2 Foundation by the Federal Government into ac-  
3 counts that are insured by an agency or instru-  
4 mentality of the United States;

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

9 (F) to use Federal funds to make pay-  
10 ments under cooperative agreements to provide  
11 substantial long-term benefits for the assess-  
12 ment, prevention, reduction, and removal of ma-  
13 rine debris;

14 (G) unless otherwise required by the in-  
15 strument of transfer, to sell, donate, lease, in-  
16 vest, reinvest, retain or otherwise dispose of any  
17 property or income therefrom;

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

20 (I) to sue and be sued, and complain and  
21 defend itself in any court of competent jurisdic-  
22 tion, except that the Directors of the Founda-  
23 tion shall not be personally liable, except for  
24 gross negligence;

1           (J) to enter into contracts or other ar-  
2           rangements with, or provide financial assistance  
3           to, public agencies and private organizations  
4           and persons and to make such payments as  
5           may be necessary to carry out its functions; and

6           (K) to do any and all acts necessary and  
7           proper to carry out the purposes of the Founda-  
8           tion.

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

16          (d) NOTICE TO MEMBERS OF CONGRESS.—The  
17          Foundation may not make a grant of Federal funds in  
18          an amount greater than \$100,000 unless, by not later  
19          than 15 days before the grant is made, the Foundation  
20          provides notice of the grant to the Member of Congress  
21          for the congressional district in which the project to be  
22          funded with the grant will be carried out.

23          (e) COORDINATION OF INTERNATIONAL EFFORTS.—  
24          Any efforts of the Foundation carried out in a foreign  
25          country, and any grants provided to an individual or entity

1 in a foreign country, shall be made only with the concur-  
2 rence of the Secretary of State, in consultation, as appro-  
3 priate, with the Administrator of the United States Agen-  
4 cy for International Development.

5 (f) CONSULTATION WITH NOAA.—The Foundation  
6 shall consult with the Under Secretary during the plan-  
7 ning of any restoration or remediation action using funds  
8 resulting from judgments or settlements relating to the  
9 damage to trust resources of the National Oceanic and  
10 Atmospheric Administration.

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

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

18 (b) REIMBURSEMENT.—The Under Secretary shall  
19 require reimbursement from the Foundation for any ad-  
20 ministrative service provided under subsection (a). The  
21 Under Secretary shall deposit any reimbursement received  
22 under this subsection into the Treasury to the credit of  
23 the appropriations then current and chargeable for the  
24 cost of providing such services.

1 **SEC. 115. VOLUNTEER STATUS.**

2 The Secretary of Commerce may accept, without re-  
3 gard to the civil service classification laws, rules, or regu-  
4 lations, the services of the Foundation, the Board, and  
5 the officers and employees of the Board, without com-  
6 pensation from the Department of Commerce, as volun-  
7 teers in the performance of the functions authorized in  
8 this title.

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

11 (a) REPORT.—The Foundation shall, as soon as prac-  
12 ticable after the end of each fiscal year, transmit to the  
13 Committee on Commerce, Science, and Transportation of  
14 the Senate and the Committee on Natural Resources, the  
15 Committee on Transportation and Infrastructure, and the  
16 Committee on Energy and Commerce of the House of  
17 Representatives a report—

18 (1) describing the proceedings and activities of  
19 the Foundation during that fiscal year, including a  
20 full and complete statement of its receipts, expendi-  
21 tures, and investments; and

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

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

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

4 (2) refuses, fails, or neglects to discharge its  
5 obligations under this title, or threatens to do so,

6 the Attorney General may petition in the United States  
7 District Court for the District of Columbia for such equi-  
8 table relief as may be necessary or appropriate.

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

10 The United States shall not be liable for any debts,  
11 defaults, acts, or omissions of the Foundation nor shall  
12 the full faith and credit of the United States extend to  
13 any obligation of the Foundation.

14 **SEC. 118. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—There are authorized to be  
17 appropriated to the Department of Commerce to  
18 carry out this title \$10,000,000 for each of fiscal  
19 years 2021 through 2024.

20 (2) USE OF APPROPRIATED FUNDS.—Subject to  
21 paragraph (3), amounts made available under para-  
22 graph (1) shall be provided to the Foundation to  
23 match contributions (whether in currency, services,  
24 or property) made to the Foundation, or to a recipi-  
25 ent of a grant provided by the Foundation, by pri-

1 vate persons and State and local government agen-  
2 cies.

3 (3) PROHIBITION ON USE FOR ADMINISTRATIVE  
4 EXPENSES.—

5 (A) IN GENERAL.—Except as provided in  
6 subparagraph (B), no Federal funds made  
7 available under paragraph (1) may be used by  
8 the Foundation for administrative expenses of  
9 the Foundation, including for salaries, travel  
10 and transportation expenses, and other over-  
11 head expenses.

12 (B) EXCEPTION.—The Secretary may  
13 allow the use of Federal funds made available  
14 under paragraph (1) to pay for salaries during  
15 the 18-month period beginning on the date of  
16 the enactment of this Act.

17 (b) ADDITIONAL AUTHORIZATION.—

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

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

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

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

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

16 **SEC. 119. TERMINATION OF AUTHORITY.**

17          The authority of the Foundation under this subtitle  
18          shall terminate on the date that is 10 years after the es-  
19          tablishment of the Foundation, unless the Foundation is  
20          reauthorized by an Act of Congress.

21          **Subtitle C—Genius Prize for Save**  
22                                  **Our Seas Innovations**

23 **SEC. 121. DEFINITIONS.**

24          In this subtitle:

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

5           (2) SECRETARY.—The term “Secretary” means  
6 the Secretary of Commerce.

7 **SEC. 122. GENIUS PRIZE FOR SAVE OUR SEAS INNOVA-**  
8 **TIONS.**

9           (a) IN GENERAL.—

10           (1) IN GENERAL.—Not later than 1 year after  
11 the date of the enactment of this Act, the Secretary  
12 shall establish under section 24 of the Stevenson-  
13 Wydler Technology Innovation Act of 1980 (15  
14 U.S.C. 3719) a prize competition—

15           (A) to encourage technological innovation  
16 with the potential to reduce plastic waste, and  
17 associated and potential pollution, and thereby  
18 prevent marine debris; and

19           (B) to award 1 or more prizes biennially  
20 for projects that advance human understanding  
21 and innovation in removing and preventing  
22 plastic waste, in one of the categories described  
23 in paragraph (2).

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



1 (A) Advancements in materials used in  
2 packaging and other products that, if such  
3 products enter the coastal or ocean environ-  
4 ment, will fully degrade without harming the  
5 environment, wildlife, or human health.

6 (B) Innovations in production and pack-  
7 aging design that reduce the use of raw mate-  
8 rials, increase recycled content, encourage  
9 reusability and recyclability, and promote a cir-  
10 cular economy.

11 (C) Improvements in marine debris detec-  
12 tion, monitoring, and cleanup technologies and  
13 processes.

14 (D) Improvements or improved strategies  
15 to increase solid waste collection, processing,  
16 sorting, recycling, or reuse.

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

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

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

24 (1) have a strategy, submitted with the applica-  
25 tion or proposal, to move the new technology, proc-

1       ess, design, material, or other product supported by  
2       the prize to market-scale deployment;

3           (2) support the concept of a circular economy;

4       and

5           (3) promote development of materials that—

6               (A) can fully degrade in the ocean without  
7               harming the environment, wildlife, or human  
8               health; and

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

13 **SEC. 123. AGREEMENT WITH THE MARINE DEBRIS FOUNDA-**  
14 **TION.**

15       (a) **IN GENERAL.**—The Secretary may offer to enter  
16 into an agreement, which may include a grant or coopera-  
17 tive agreement, under which the Marine Debris Founda-  
18 tion established under title I may administer the prize  
19 competition.

20       (b) **REQUIREMENTS.**—An agreement entered into  
21 under subsection (a) shall comply with the following re-  
22 quirements:

23           (1) **DUTIES.**—The Marine Debris Foundation  
24 shall—

25               (A) advertise the prize competition;

1 (B) solicit prize competition participants;

2 (C) administer funds relating to the prize  
3 competition;

4 (D) receive Federal and non-Federal  
5 funds—

6 (i) to administer the prize competi-  
7 tion; and

8 (ii) to award a cash prize;

9 (E) carry out activities to generate con-  
10 tributions of non-Federal funds to offset, in  
11 whole or in part—

12 (i) the administrative costs of the  
13 prize competition; and

14 (ii) the costs of a cash prize;

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

17 (i) Federal agencies with jurisdiction  
18 over the prevention of marine debris or the  
19 promotion of innovative materials;

20 (ii) State agencies with jurisdiction  
21 over the prevention of marine debris or the  
22 promotion of innovative materials;

23 (iii) State, regional, or local conserva-  
24 tion or post-consumer materials manage-  
25 ment organizations, the mission of which

1 relates to the prevention of marine debris  
2 or the promotion of innovative materials;

3 (iv) conservation groups, technology  
4 companies, research institutions, scientists  
5 (including those with expertise in marine  
6 environments) institutions of higher edu-  
7 cation, industry, or individual stakeholders  
8 with an interest in the prevention of ma-  
9 rine debris or the promotion of innovative  
10 materials;

11 (v) experts in the area of standards  
12 development regarding the degradation,  
13 breakdown, or recycling of polymers; and

14 (vi) other relevant experts of the  
15 Board's choosing;

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

19 (H) provide advice and consultation to the  
20 Secretary on the selection of judges under sec-  
21 tion 124 based on criteria developed in con-  
22 sultation with, and subject to the final approval  
23 of, the Secretary;

24 (I) announce 1 or more annual winners of  
25 the prize competition;

1 (J) subject to paragraph (2), award 1 or  
2 more cash prizes biennially of not less than  
3 \$100,000; and

4 (K) protect against unauthorized use or  
5 disclosure by the Marine Debris Foundation of  
6 any trade secret or confidential business infor-  
7 mation of a prize competition participant.

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

11 (A) if the initial cash prize referred to in  
12 paragraph (1)(J) and any additional cash prizes  
13 are awarded using only non-Federal funds; and

14 (B) consisting of an amount determined by  
15 the Under Secretary after the Secretary is noti-  
16 fied by the Marine Debris Foundation that non-  
17 Federal funds are available for an additional  
18 cash prize.

19 (3) SOLICITATION OF FUNDS.—The Marine De-  
20bris Foundation—

21 (A) may request and accept Federal funds  
22 and non-Federal funds for a cash prize or ad-  
23 ministration of the prize competition;

1 (B) may accept a contribution for a cash  
2 prize in exchange for the right to name the  
3 prize; and

4 (C) shall not give special consideration to  
5 any Federal agency or non-Federal entity in ex-  
6 change for a donation for a cash prize awarded  
7 under this section.

8 **SEC. 124. JUDGES.**

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

13 (b) DETERMINATION BY THE SECRETARY.—The  
14 judges appointed under subsection (a) shall not select any  
15 annual winner of the prize competition if the Secretary  
16 makes a determination that, in any fiscal year, none of  
17 the technological advancements entered into the prize  
18 competition merits an award.

19 **SEC. 125. REPORT TO CONGRESS.**

20 Not later than 60 days after the date on which a cash  
21 prize is awarded under this title, the Secretary shall post  
22 on a publicly available website a report on the prize com-  
23 petition that includes—

24 (1) if the Secretary has entered into an agree-  
25 ment under section 123, a statement by the Marine

1 Debris Foundation that describes the activities car-  
2 ried out by the Marine Debris Foundation relating  
3 to the duties described in section 123; and

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

7 **SEC. 126. AUTHORIZATION OF APPROPRIATIONS.**

8 Of the amounts authorized under section 118(a), the  
9 Secretary of Commerce shall use up to \$1,000,000 to  
10 carry out this subtitle.

11 **SEC. 127. TERMINATION OF AUTHORITY.**

12 The prize program will terminate after 5 prize com-  
13 petition cycles have been completed.

14 **Subtitle D—Studies, Pilot Projects,**  
15 **and Reports**

16 **SEC. 131. REPORT ON OPPORTUNITIES FOR INNOVATIVE**  
17 **USES OF PLASTIC WASTE.**

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

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

23 Not later than 2 years after the date of the enact-  
24 ment of this Act, the Interagency Marine Debris Coordi-

1 nating Committee shall submit to Congress a report on  
2 microfiber pollution that includes—

3 (1) a definition of microfiber;

4 (2) an assessment of the sources, prevalence,  
5 and causes of microfiber pollution;

6 (3) a recommendation for a standardized meth-  
7 odology to measure and estimate the prevalence of  
8 microfiber pollution;

9 (4) recommendations for reducing microfiber  
10 pollution; and

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

15 **SEC. 133. STUDY ON UNITED STATES PLASTIC POLLUTION**

16 **DATA.**

17 (a) IN GENERAL.—The Under Secretary, in consulta-  
18 tion with the EPA Administrator and the Secretary of the  
19 Interior, shall seek to enter into an arrangement with the  
20 National Academies of Sciences, Engineering, and Medi-  
21 cine under which the National Academies will undertake  
22 a multifaceted study that includes the following:

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



1           (2) An assessment of the prevalence of marine  
2 debris and mismanaged plastic waste in saltwater  
3 and freshwater United States navigable waterways  
4 and tributaries.

5           (3) An examination of the import and export of  
6 plastic waste to and from the United States, includ-  
7 ing the destinations of the exported plastic waste  
8 and the waste management infrastructure and envi-  
9 ronmental conditions of these locations.

10          (4) Potential means to reduce United States  
11 contributions to global ocean plastic waste.

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

16           (1) the findings of the National Academies;

17           (2) recommendations on knowledge gaps that  
18 warrant further scientific inquiry; and

19           (3) recommendations on the potential value of  
20 a national marine debris tracking and monitoring  
21 system and how such a system might be designed  
22 and implemented.

1 **SEC. 134. STUDY ON MASS BALANCE METHODOLOGIES TO**  
2 **CERTIFY CIRCULAR POLYMERS.**

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

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

11 (1) an identification and assessment of existing  
12 mass balance methodologies, standards, and certifi-  
13 cation systems that are or may be applicable to sup-  
14 ply chain sustainability of polymers, considering the  
15 full life cycle of the polymer, and including an exam-  
16 ination of—

17 (A) the International Sustainability and  
18 Carbon Certification; and

19 (B) the Roundtable on Sustainable Bio-  
20 materials;

21 (2) an assessment of the environmental impacts  
22 of the full lifecycle of circular polymers, including  
23 impacts on climate change; and

24 (3) an assessment of any legal or regulatory  
25 barriers to developing a standard and certification  
26 system for circular polymers.

1 (c) DEFINITIONS.—In this section:

2 (1) CIRCULAR POLYMERS.—The term “circular  
3 polymers” means polymers that can be reused mul-  
4 tiple times or converted into a new, higher-quality  
5 product.

6 (2) MASS BALANCE METHODOLOGY.—The term  
7 “mass balance methodology” means the method of  
8 chain of custody accounting designed to track the  
9 exact total amount of certain content in products or  
10 materials through the production system and to en-  
11 sure an appropriate allocation of this content in the  
12 finished goods based on auditable bookkeeping.

13 **SEC. 135. REPORT ON SOURCES AND IMPACTS OF DERE-**  
14 **LICT FISHING GEAR.**

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

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

20 (A) how the amount of gear lost varies  
21 among—

22 (i) domestic and foreign fisheries;

23 (ii) types of fishing gear; and

24 (iii) methods of fishing;

1 (B) how lost fishing gear is transported by  
2 ocean currents; and

3 (C) common reasons fishing gear is lost;

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

7 (A) types of fishing gear;

8 (B) materials used to construct fishing  
9 gear; and

10 (C) geographic location;

11 (3) recommendations on management meas-  
12 ures—

13 (A) to prevent fishing gear losses; and

14 (B) to reduce the impacts of lost fishing  
15 gear;

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

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

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

21 Not later than 1 year after the date of the enactment  
22 of this Act, the Under Secretary and the EPA Adminis-  
23 trator shall jointly conduct a study to determine the feasi-  
24 bility of developing a nationwide derelict vessel recycling  
25 program—

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

3           (2) including, if possible, recycling of vessels  
4           made from materials other than fiberglass.

5  
6 **SEC. 137. INCENTIVE FOR FISHERMEN TO COLLECT AND**  
7 **DISPOSE OF PLASTIC FOUND AT SEA.**

8           (a) IN GENERAL.—The Under Secretary shall establish a pilot program to assess the feasibility and advis-  
9           ability of providing incentives, such as grants, to fisher-  
10          men based in the United States who incidentally capture  
11          marine debris while at sea—

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

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

14           (b) SUPPORT FOR COLLECTION AND REMOVAL OF  
15          DERELICT GEAR.—The Under Secretary shall encourage  
16          United States efforts, such as the Fishing for Energy net  
17          disposal program, that support—

18           (1) collection and removal of derelict fishing  
19          gear and other fishing waste;

20           (2) disposal or recycling of such gear and  
21          waste; and

22           (3) prevention of the loss of such gear.  
23

1 **TITLE II—ENHANCED GLOBAL**  
2 **ENGAGEMENT TO COMBAT**  
3 **MARINE DEBRIS**

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

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

13 (1) to increase knowledge and raise awareness  
14 about—

15 (A) the linkages between the sources of  
16 plastic waste, mismanaged waste and post-con-  
17 sumer materials, and marine debris; and

18 (B) the upstream and downstream causes  
19 and effects of plastic waste, mismanaged waste  
20 and post-consumer materials, and marine debris  
21 on marine environments, marine wildlife,  
22 human health, and economic development;

23 (2) to support—

24 (A) strengthening systems for reducing the  
25 generation of plastic waste and recovering,

1 managing, reusing, and recycling plastic waste,  
2 marine debris, and microfiber pollution in the  
3 world's oceans, emphasizing upstream post-con-  
4 sumer materials management solutions—

5 (i) to decrease plastic waste at its  
6 source; and

7 (ii) to prevent leakage of plastic waste  
8 into the environment;

9 (B) advancing the utilization and avail-  
10 ability of safe and affordable reusable alter-  
11 natives to disposable plastic products in com-  
12 merce, to the extent practicable, and with con-  
13 sideration for the potential impacts of such al-  
14 ternatives, and other efforts to prevent marine  
15 debris;

16 (C) deployment of and access to advanced  
17 technologies to capture value from post-con-  
18 sumer materials and municipal solid waste  
19 streams through mechanical and other recycling  
20 systems;

21 (D) access to information on best practices  
22 in post-consumer materials management, op-  
23 tions for post-consumer materials management  
24 systems financing, and options for participating  
25 in public-private partnerships; and

1 (E) implementation of management meas-  
2 ures to reduce derelict fishing gear, the loss of  
3 fishing gear, and other sources of pollution gen-  
4 erated from marine activities and to increase  
5 proper disposal and recycling of fishing gear;  
6 and

7 (3) to work cooperatively with international  
8 partners—

9 (A) on establishing—

10 (i) measurable targets for reducing  
11 marine debris, lost fishing gear, and plastic  
12 waste from all sources; and

13 (ii) action plans to achieve those tar-  
14 gets with a mechanism to provide regular  
15 reporting;

16 (B) to promote consumer education,  
17 awareness, and outreach to prevent marine de-  
18bris;

19 (C) to reduce marine debris by improving  
20 advance planning for marine debris events and  
21 responses to such events; and

22 (D) to share best practices in post-con-  
23sumer materials management systems to pre-  
24vent the entry of plastic waste into the environ-  
25ment.



1 **SEC. 202. PRIORITIZATION OF EFFORTS AND ASSISTANCE**  
2 **TO COMBAT MARINE DEBRIS AND IMPROVE**  
3 **PLASTIC WASTE MANAGEMENT.**

4 (a) IN GENERAL.—The Secretary of State shall, in  
5 coordination with the Administrator of the United States  
6 Agency for International Development, as appropriate,  
7 and the officials specified in subsection (b)—

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

10 (2) develop strategies and implement programs  
11 that prioritize engagement and cooperation with for-  
12 eign governments, subnational and local stake-  
13 holders, and the private sector to expedite efforts  
14 and assistance in foreign countries—

15 (A) to partner with, encourage, advise and  
16 facilitate national and subnational governments  
17 on the development and execution, where prac-  
18 ticable, of national projects, programs and ini-  
19 tiatives to—

20 (i) improve the capacity, security, and  
21 standards of operations of post-consumer  
22 materials management systems;

23 (ii) monitor and track how well post-  
24 consumer materials management systems  
25 are functioning nationwide, based on uni-  
26 form and transparent standards developed

1 in cooperation with municipal, industrial,  
2 and civil society stakeholders;

3 (iii) identify the operational challenges  
4 of post-consumer materials management  
5 systems and develop policy and pro-  
6 grammatic solutions;

7 (iv) end intentional or unintentional  
8 incentives for municipalities, industries,  
9 and individuals to improperly dispose of  
10 plastic waste; and

11 (v) conduct outreach campaigns to  
12 raise public awareness of the importance of  
13 proper waste disposal and the reduction of  
14 plastic waste;

15 (B) to facilitate the involvement of munici-  
16 palities and industries in improving solid waste  
17 reduction, collection, disposal, and reuse and re-  
18 cycling projects, programs, and initiatives;

19 (C) to partner with and provide technical  
20 assistance to investors, and national and local  
21 institutions, including private sector actors, to  
22 develop new business opportunities and solu-  
23 tions to specifically reduce plastic waste and ex-  
24 pand solid waste and post-consumer materials

1 management best practices in foreign countries  
2 by—

3 (i) maximizing the number of people  
4 and businesses, in both rural and urban  
5 communities, receiving reliable solid waste  
6 and post-consumer materials management  
7 services;

8 (ii) improving and expanding the ca-  
9 pacity of foreign industries to responsibly  
10 employ post-consumer materials manage-  
11 ment practices;

12 (iii) improving and expanding the ca-  
13 pacity and transparency of tracking mech-  
14 anisms for marine debris to reduce the im-  
15 pacts on the marine environment;

16 (iv) eliminating incentives that under-  
17 mine responsible post-consumer materials  
18 management practices and lead to im-  
19 proper waste disposal practices and leak-  
20 age;

21 (v) building the capacity of coun-  
22 tries—

23 (I) to reduce, monitor, regulate,  
24 and manage waste, post-consumer  
25 materials and plastic waste, and pollu-

1                   tion appropriately and transparently,  
2                   including imports of plastic waste  
3                   from the United States and other  
4                   countries;

5                   (II) to encourage private invest-  
6                   ment in post-consumer materials man-  
7                   agement and reduction; and

8                   (III) to encourage private invest-  
9                   ment, grow opportunities, and develop  
10                  markets for recyclable, reusable, and  
11                  repurposed plastic waste and post-con-  
12                  sumer materials, and products with  
13                  high levels of recycled plastic content,  
14                  at both national and local levels; and

15                  (vi) promoting safe and affordable re-  
16                  usable alternatives to disposable plastic  
17                  products, to the extent practicable; and

18                  (D) to research, identify, and facilitate op-  
19                  portunities to promote collection and proper  
20                  disposal of damaged or derelict fishing gear.

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

23                   (1) The United States Trade Representative.

24                   (2) The Under Secretary.

25                   (3) The EPA Administrator.

1           (4) The Director of the Trade and Development  
2           Agency.

3           (5) The President and the Board of Directors  
4           of the Overseas Private Investment Corporation or  
5           the Chief Executive Officer and the Board of Direc-  
6           tors of the United States International Development  
7           Finance Corporation, as appropriate.

8           (6) The Chief Executive Officer and the Board  
9           of Directors of the Millennium Challenge Corpora-  
10          tion.

11          (7) The Commandant of the Coast Guard, with  
12          respect to pollution from ships.

13          (8) The heads of such other agencies as the  
14          Secretary of State considers appropriate.

15          (c) **PRIORITIZATION.**—In carrying out subsection (a),  
16 the officials specified in subsection (b) shall prioritize as-  
17 sistance to countries with, and regional organizations in  
18 regions with—

19           (1) rapidly developing economies; and

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

23          (d)       **EFFECTIVENESS        MEASUREMENT.**—In  
24 prioritizing and expediting efforts and assistance under  
25 this section, the officials specified in subsection (b) shall

1 use clear, accountable, and metric-based targets to meas-  
2 ure the effectiveness of guarantees and assistance in  
3 achieving the policy described in section 201.

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

8 **SEC. 203. UNITED STATES LEADERSHIP IN INTERNATIONAL**  
9 **FORA.**

10 In implementing the policy described in section 201,  
11 the President shall direct the United States representa-  
12 tives to appropriate international bodies and conferences  
13 (including the United Nations Environment Programme,  
14 the Association of Southeast Asian Nations, the Asia Pa-  
15 cific Economic Cooperation, the Group of 7, the Group  
16 of 20, the Organization for Economic Co-Operation and  
17 Development (OECD), and the Our Ocean Conference) to  
18 use the voice, vote, and influence of the United States,  
19 consistent with the broad foreign policy goals of the  
20 United States, to advocate that each such body—

21 (1) commit to significantly increasing efforts to  
22 promote investment in well-designed post-consumer  
23 materials management and plastic waste elimination  
24 and mitigation projects and services that increase  
25 access to safe post-consumer materials management

1 and mitigation services, in partnership with the pri-  
2 vate sector and consistent with the constraints of  
3 other countries;

4 (2) address the post-consumer materials man-  
5 agement needs of individuals and communities where  
6 access to municipal post-consumer materials man-  
7 agement services is historically impractical or cost-  
8 prohibitive;

9 (3) enhance coordination with the private sec-  
10 tor—

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

13 (B) to utilize safe and affordable alter-  
14 natives to disposable plastic products, to the ex-  
15 tent practicable;

16 (C) to encourage and incentivize the use of  
17 recycled content; and

18 (D) to grow economic opportunities and  
19 develop markets for recyclable, compostable, re-  
20 usable, and repurposed plastic waste materials  
21 and post-consumer materials and other efforts  
22 that support the circular economy;

23 (4) provide technical assistance to foreign regu-  
24 latory authorities and governments to remove unnec-

1        essary barriers to investment in otherwise commer-  
2        cially-viable projects related to—

3                (A) post-consumer materials management;

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

6                (C) beneficial reuse of solid waste, plastic  
7        waste, post-consumer materials, plastic prod-  
8        ucts, and refuse;

9                (5) use clear, accountable, and metric-based  
10       targets to measure the effectiveness of such projects;  
11       and

12               (6) engage international partners in an existing  
13       multilateral forum (or, if necessary, establish  
14       through an international agreement a new multilat-  
15       eral forum) to improve global cooperation on—

16                (A) creating tangible metrics for evaluating  
17       efforts to reduce plastic waste and marine de-  
18       bris;

19                (B) developing and implementing best  
20       practices at the national and subnational levels  
21       of foreign countries, particularly countries with  
22       little to no solid waste or post-consumer mate-  
23       rials management systems, facilities, or policies  
24       in place for—



1 (i) collecting, disposing, recycling, and  
2 reusing plastic waste and post-consumer  
3 materials, including building capacity for  
4 improving post-consumer materials man-  
5 agement; and

6 (ii) integrating alternatives to dispos-  
7 able plastic products, to the extent prac-  
8 ticable;

9 (C) encouraging the development of stand-  
10 ards and practices, and increasing recycled con-  
11 tent percentage requirements for disposable  
12 plastic products;

13 (D) integrating tracking and monitoring  
14 systems into post-consumer materials manage-  
15 ment systems;

16 (E) fostering research to improve scientific  
17 understanding of—

18 (i) how microfibers and microplastics  
19 may affect marine ecosystems, human  
20 health and safety, and maritime activities;

21 (ii) changes in the amount and re-  
22 gional concentrations of plastic waste in  
23 the ocean, based on scientific modeling and  
24 forecasting;

1 (iii) the role rivers, streams, and other  
2 inland waterways play in serving as con-  
3 duits for mismanaged waste traveling from  
4 land to the ocean;

5 (iv) effective means to eliminate  
6 present and future leakages of plastic  
7 waste into the environment; and

8 (v) other related areas of research the  
9 United States representatives deem nec-  
10 essary;

11 (F) encouraging the World Bank and other  
12 international finance organizations to prioritize  
13 efforts to reduce plastic waste and combat ma-  
14 rine debris;

15 (G) collaborating on technological advances  
16 in post-consumer materials management and  
17 recycled plastics;

18 (H) growing economic opportunities and  
19 developing markets for recyclable, compostable,  
20 reusable, and repurposed plastic waste and  
21 post-consumer materials and other efforts that  
22 support the circular economy; and

23 (I) advising foreign countries, at both the  
24 national and subnational levels, on the develop-  
25 ment and execution of regulatory policies, serv-

1           ices, including recycling and reuse of plastic,  
2           and laws pertaining to reducing the creation  
3           and the collection and safe management of—

- 4                   (i) solid waste;  
5                   (ii) post-consumer materials;  
6                   (iii) plastic waste; and  
7                   (iv) marine debris.

8   **SEC. 204. ENHANCING INTERNATIONAL OUTREACH AND**  
9                   **PARTNERSHIP OF UNITED STATES AGENCIES**  
10                   **INVOLVED IN MARINE DEBRIS ACTIVITIES.**

11       (a) FINDINGS.—Congress recognizes the success of  
12 the marine debris program of the National Oceanic and  
13 Atmospheric Administration and the Trash-Free Waters  
14 program of the Environmental Protection Agency.

15       (b) AUTHORIZATION OF EFFORTS TO BUILD FOR-  
16 EIGN PARTNERSHIPS.—The Under Secretary and the  
17 EPA Administrator shall work with the Secretary of State  
18 and the Administrator of the United States Agency for  
19 International Development to build partnerships, as ap-  
20 propriate, with the governments of foreign countries and  
21 to support international efforts to combat marine debris.

1 **SEC. 205. NEGOTIATION OF NEW INTERNATIONAL AGREE-**  
2 **MENTS.**

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

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

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

13 (3) assessing potential parties to such agree-  
14 ments.

15 **SEC. 206. CONSIDERATION OF MARINE DEBRIS IN NEGOTI-**  
16 **ATING INTERNATIONAL AGREEMENTS.**

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

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

23 (2) ensure that the agreement strengthens ef-  
24 forts to eliminate land-based sources of plastic waste  
25 and other solid waste from that country that impact  
26 the marine and aquatic environment.

1 **TITLE III—IMPROVING DOMES-**  
2 **TIC INFRASTRUCTURE TO**  
3 **PREVENT MARINE DEBRIS**

4 **SEC. 301. STRATEGY FOR IMPROVING POST-CONSUMER MA-**  
5 **TERIALS MANAGEMENT AND WATER MAN-**  
6 **AGEMENT.**

7 (a) IN GENERAL.—Not later than 1 year after the  
8 date of enactment of this Act, the EPA Administrator  
9 shall, in consultation with stakeholders, develop a strategy  
10 to improve post-consumer materials management and in-  
11 frastructure for the purpose of reducing plastic waste and  
12 other post-consumer materials in waterways and oceans.

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

15 (1) distribute the strategy to States; and

16 (2) make the strategy publicly available, includ-  
17 ing for use by—

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

20 (B) other nongovernmental entities.

21 **SEC. 302. GRANT PROGRAMS.**

22 (a) POST-CONSUMER MATERIALS MANAGEMENT IN-  
23 FRASTRUCTURE GRANT PROGRAM.—

1           (1) IN GENERAL.—The EPA Administrator  
2           may provide grants to States to implement the strat-  
3           egy developed under section 301(a) and—

4                   (A) to support improvements to local post-  
5           consumer materials management, including mu-  
6           nicipal recycling programs; and

7                   (B) to assist local waste management au-  
8           thorities in making improvements to local waste  
9           management systems.

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

15          (3) CONTENTS OF APPLICATIONS.—In devel-  
16          oping application requirements, the EPA Adminis-  
17          trator shall consider requesting that a State appli-  
18          cant provide—

19                   (A) a description of—

20                           (i) the project or projects to be car-  
21                           ried out using grant funds; and

22                           (ii) how the project or projects would  
23                           result in the generation of less plastic  
24                           waste;

1 (B) a description of how the funds will  
2 support disadvantaged communities; and

3 (C) an explanation of any limitations, such  
4 as flow control measures, that restrict access to  
5 reusable or recyclable materials.

6 (4) REPORT TO CONGRESS.—Not later than  
7 January 1, 2023, the EPA Administrator shall sub-  
8 mit to the Committee on Environment and Public  
9 Works of the Senate and the Committee on Trans-  
10 portation and Infrastructure and the Committee on  
11 Energy and Commerce of the House of Representa-  
12 tives a report that includes—

13 (A) a description of the activities carried  
14 out under this subsection;

15 (B) estimates as to how much plastic  
16 waste was prevented from entering the oceans  
17 and other waterways as a result of activities  
18 funded pursuant to this subsection; and

19 (C) a recommendation on the utility of  
20 evolving the grant program into a new waste  
21 management State revolving fund.

22 (b) DRINKING WATER INFRASTRUCTURE GRANTS.—

23 (1) IN GENERAL.—The EPA Administrator  
24 may provide competitive grants to units of local gov-  
25 ernment, Indian Tribes, and public water systems

1 (as defined in section 1401 of the Safe Drinking  
2 Water Act (42 U.S.C. 300f)) to support improve-  
3 ments in reducing and removing plastic waste and  
4 post-consumer materials, including microplastics and  
5 microfibers, from drinking water or sources of drink-  
6 ing water, including planning, design, construction,  
7 technical assistance, and planning support for oper-  
8 ational adjustments.

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

14 (c) WASTEWATER INFRASTRUCTURE GRANTS.—

15 (1) IN GENERAL.—The EPA Administrator  
16 may provide grants to municipalities (as defined in  
17 section 502 of the Federal Water Pollution Control  
18 Act (33 U.S.C. 1362)) or Indian Tribes that own  
19 and operate treatment works (as such term is de-  
20 fined in section 212 of such Act (33 U.S.C. 1292))  
21 for the construction of improvements to reduce and  
22 remove plastic waste and post-consumer materials,  
23 including microplastics and microfibers, from waste-  
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           (d) TRASH-FREE WATERS GRANTS.—

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

10                   (A) to support projects to reduce the quan-  
11                   tity of solid waste in bodies of water by reduc-  
12                   ing the quantity of waste at the source, includ-  
13                   ing through anti-litter initiatives;

14                   (B) to enforce local post-consumer mate-  
15                   rials management ordinances;

16                   (C) to implement State or local policies re-  
17                   lating to solid waste;

18                   (D) to capture post-consumer materials at  
19                   stormwater inlets, at stormwater outfalls, or in  
20                   bodies of water;

21                   (E) to provide education and outreach  
22                   about post-consumer materials movement and  
23                   reduction; and

24                   (F) to monitor or model flows of post-con-  
25                   sumer materials, including monitoring or mod-

1           eling a reduction in trash as a result of the im-  
2           plementation of best management practices for  
3           the reduction of plastic waste and other post-  
4           consumer materials in sources of drinking  
5           water.

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

11         (e) APPLICABILITY OF FEDERAL LAW.—

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

21           (2) AUTHORITY.—With respect to the labor  
22           standards specified in paragraph (1), the Secretary  
23           of Labor shall have the authority and functions set  
24           forth in Reorganization Plan Numbered 14 of 1950

1 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of  
2 title 40, United States Code.

3 (3) REQUIREMENTS.—The requirements of sec-  
4 tion 608 of the Federal Water Pollution Control Act  
5 (33 U.S.C. 1388) shall apply to the construction of  
6 a project carried out, in whole or in part, with as-  
7 sistance made available under this section in the  
8 same manner as the requirements of such section  
9 apply with respect to funds made available pursuant  
10 to title VI of such Act.

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

17 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated—

19 (1) for the program described subsection (a),  
20 \$55,000,000 for each of fiscal years 2021 through  
21 2025; and

22 (2) for each of the programs described sub-  
23 sections (b), (c), and (d), \$10,000,000 for each of  
24 fiscal years 2021 through 2025.

1 **SEC. 303. STUDY ON REPURPOSING PLASTIC WASTE IN IN-**  
2 **FRAStructure.**

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

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

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

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

14 (i) the use of plastic waste materials  
15 described in that paragraph;

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

19 (iii) projects in which the use of plas-  
20 tic waste has been incorporated into or  
21 with other infrastructure materials;

22 (B) assess—

23 (i) the effectiveness and utility of the  
24 uses of plastic waste described in that  
25 paragraph;

1 (ii) the extent to which plastic waste  
2 materials are consistent with recognized  
3 specifications for infrastructure construc-  
4 tion and other recognized standards;

5 (iii) relevant impacts of plastic waste  
6 materials compared to non-waste plastic  
7 materials;

8 (iv) the health, safety, and environ-  
9 mental impacts of—

10 (I) plastic waste on humans and  
11 animals; and

12 (II) the increased use of plastic  
13 waste for infrastructure;

14 (v) the ability of plastic waste infra-  
15 structure to withstand natural disasters,  
16 extreme weather events, and other hazards;  
17 and

18 (vi) plastic waste in infrastructure  
19 through an economic analysis; and

20 (C) make recommendations with respect to  
21 what standards or matters may need to be ad-  
22 dressed with respect to ensuring human and  
23 animal health and safety from the use of plastic  
24 waste in infrastructure.

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

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

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

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

20 (1) a science-based definition of “microplastics”  
21 that can be adopted in federally supported moni-  
22 toring and future assessments supported or con-  
23 ducted by a Federal agency;

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

4           (3) an assessment of—

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

8                 (B) the type, source, prevalence, and risk  
9                 of microplastics in the food supplies and  
10                sources of 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 chemi-  
19                 cals that adsorb to microplastics; and

20                 (B) the quantity described in subpara-  
21                 graph (A) that would be available for human  
22                 exposure through food supplies or sources of  
23                 drinking 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  
5 of this Act, the EPA Administrator shall submit to Con-  
6 gress 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  
12 described 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  
17 of this Act, the EPA Administrator shall submit to Con-  
18 gress a report describing the most efficient and effective  
19 economic incentives to spur the development of additional  
20 new end-use markets for recycled plastics, including plas-  
21 tic film, including the use of increased recycled content  
22 by manufacturers in the production of plastic goods and  
23 packaging.



1 **SEC. 307. REPORT ON MINIMIZING THE CREATION OF NEW**  
2 **PLASTIC WASTE.**

3 (a) IN GENERAL.—The EPA Administrator, in co-  
4 ordination with the Interagency Marine Debris Coordi-  
5 nating Committee and the National Institute of Standards  
6 and Technology, shall conduct a study on minimizing the  
7 creation of new plastic waste.

8 (b) REPORT.—Not later than 2 years after the date  
9 of enactment of this Act, the EPA Administrator shall  
10 submit to Congress a report on the study conducted under  
11 subsection (a) that includes—

12 (1) an estimate of the current and projected  
13 United States production and consumption of plas-  
14 tics, by type of plastic, including consumer food  
15 products;

16 (2) an estimate of the environmental effects  
17 and impacts of plastic production and use in relation  
18 to other materials;

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

21 (4) an assessment of opportunities to minimize  
22 the creation of new plastic waste, including con-  
23 sumer food products, by reducing, recycling, reusing,  
24 refilling, refurbishing, or capturing plastic that  
25 would otherwise be part of a waste stream; and

1           (5) an assessment of what post-consumer recy-  
2           cled content standards for plastic are technologically  
3           and economically feasible, and the impact of the  
4           standards on recycling rates.