

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 886
OFFERED BY MRS. PELTOLA OF ALASKA**

Strike all after the enacting clause and insert the following:

1 SEC. 1. SHORT TITLE.

2 This Act may be cited as the “Save Our Seas 2.0
3 Amendments Act”.

**4 SEC. 2. MODIFICATIONS TO THE MARINE DEBRIS PROGRAM
5 OF THE NATIONAL OCEANIC AND ATMOS-
6 PHERIC ADMINISTRATION.**

7 (a) IN GENERAL.—The Marine Debris Act (Public
8 Law 109–449) is amended by inserting before section 3
9 the following:

**10 “Subtitle A—NOAA and Coast
11 Guard Programs”.**

12 (b) GRANTS, COOPERATIVE AGREEMENTS, CON-
13 TRACTS, AND OTHER AGREEMENTS.—Section 3(d) of the
14 Marine Debris Act (33 U.S.C. 1952(d)) is amended—

15 (1) in the subsection heading by striking “AND
16 CONTRACTS” and inserting “CONTRACTS, AND
17 OTHER AGREEMENTS”;

1 (2) in paragraph (1) by striking “and con-
2 tracts” and inserting “, contracts, and other agree-
3 ments”;

4 (3) in paragraph (2)—

5 (A) in subparagraph (B)—

6 (i) by striking “part of the” and in-
7 serting “part of a”; and

8 (ii) by inserting “or (C)” after “sub-
9 paragraph (A)”; and

10 (B) in subparagraph (C) in the matter pre-
11 ceding clause (i) by inserting “and except as
12 provided in subparagraph (B)” after “subpara-
13 graph (A)”; and

14 (4) by adding at the end the following:

15 “(7) IN-KIND CONTRIBUTIONS.—With respect
16 to any project carried out pursuant to a contract or
17 other agreement entered into under paragraph (1)
18 that is not a cooperative agreement or an agreement
19 to provide financial assistance in the form of a
20 grant, the Administrator may contribute on an in-
21 kind basis the portion of the costs of the project that
22 the Administrator determines represents the amount
23 of benefit the National Oceanic and Atmospheric
24 Administration derives from the project.”.

1 (c) RECEIPT AND EXPENDITURE OF FUNDS; USE OF
2 RESOURCES.—Section 3 of such Act (33 U.S.C. 1952) is
3 amended by adding at the end the following:

4 “(e) RECEIPT AND EXPENDITURE OF FUNDS.—In
5 order to accomplish the purpose set forth in section 2, the
6 Administrator, acting through the Program, may receive
7 and, only to the extent provided in advance in appropria-
8 tions Acts, expend funds made available by—

9 (1) any department, agency, or instrumen-
10 tality of the United States;

11 (2) any State or local government (or any po-
12 litical subdivision thereof);

13 (3) any Indian tribe;

14 (4) any foreign government or international
15 organization;

16 (5) any public or private organization; or

17 (6) any individual.

18 (f) USE OF RESOURCES.—In order to accomplish
19 the purpose set forth in section 2, the Administrator, act-
20 ing through the Program, may use, with consent, with re-
21 imbursement, and subject to the availability of appropria-
22 tions, the land, services, equipment, personnel, and facili-
23 ties of—

24 (1) any department, agency, or instrumen-
25 tality of the United States;

1 “(2) any State or local government (or any po-
2 litical subdivision thereof);

3 “(3) any Indian tribe;

4 “(4) any foreign government or international
5 organization;

6 “(5) any public or private organization; or

7 “(6) any individual.”.

8 **SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS FOUNDA-**
9 **TION.**

10 (a) IN GENERAL.—Subtitle B of title I of the Save
11 Our Seas 2.0 Act (Public Law 116–224) is transferred
12 to appear after section 6 of the Marine Debris Act (P.L.
13 109-449).

14 (b) STATUS OF FOUNDATION.—Section 111(a) of the
15 Marine Debris Act (Public Law 109–449), as transferred
16 by this Act, is amended, in the second sentence, by strik-
17 ing “organization” and inserting “corporation”.

18 (c) BOARD OF DIRECTORS.—

19 (1) APPOINTMENT, VACANCIES, AND RE-
20 MOVAL.—Section 112(b) of the Marine Debris Act
21 (Public Law 109–449), as transferred by this Act,
22 is amended—

23 (A) in paragraph (1) in the matter pre-
24 ceding subparagraph (A)—

1 (i) by striking “and considering” and
2 inserting “considering”; and

3 (ii) by inserting “and with the ap-
4 proval of the Secretary of Commerce,”
5 after “by the Board,”;

6 (B) in paragraph (3)(A) by inserting “with
7 the approval of the Secretary of Commerce”
8 after “the Board”;

9 (C) in paragraph (5)—

10 (i) by inserting “the Administrator of
11 the United States Agency for International
12 Development,” after “Service,”; and

13 (ii) by inserting “and with the ap-
14 proval of the Secretary of Commerce” after
15 “EPA Administrator”;

16 (D) by redesignating paragraphs (2)
17 through (5) as paragraphs (3) through (6), re-
18 spectively; and

19 (E) by inserting after paragraph (1) the
20 following:

21 “(2) RECOMMENDATIONS OF BOARD REGARD-
22 ING APPOINTMENTS.—For appointments made
23 under paragraph (1) other than the initial appoint-
24 ments, the Board shall submit to the Under Sec-

1 retary recommendations on candidates for appoint-
2 ment.”.

3 (2) GENERAL POWERS.—Section 112(g) of the
4 Marine Debris Act (Public Law 109–449), as trans-
5 ferred by this Act, is amended—

6 (A) in paragraph (1)(A) by striking “offi-
7 cers and employees” and inserting “the initial
8 officers and employees”; and

9 (B) in paragraph (2)(B)(i) by striking “its
10 chief operating officer” and inserting “the chief
11 executive officer of the Foundation”.

12 (3) CHIEF EXECUTIVE OFFICER.—Section 112
13 of the Marine Debris Act (Public Law 109–449), as
14 transferred by this Act, is amended by adding at the
15 end the following:

16 “(h) CHIEF EXECUTIVE OFFICER.—

17 “(1) APPOINTMENT; REMOVAL; REVIEW.—The
18 Board shall appoint and may remove and review the
19 performance of the chief executive officer of the
20 Foundation.

21 “(2) POWERS.—The chief executive officer of
22 the Foundation may appoint, remove, and review the
23 performance of any officer or employee of the Foun-
24 dation.”.

1 (d) POWERS OF FOUNDATION.—Section 113(c)(1) of
2 the Marine Debris Act (Public Law 109–449), as trans-
3 ferred by this Act, is amended in the matter preceding
4 subparagraph (A)—

5 (1) by inserting “nonprofit” before “corpora-
6 tion”; and

7 (2) by striking “acting as a trustee” and insert-
8 ing “formed”.

9 (e) PRINCIPAL OFFICE.—Section 113 of the Marine
10 Debris Act (Public Law 109–449), as transferred by this
11 Act, is amended by adding at the end the following:

12 “(g) PRINCIPAL OFFICE.—The Board may locate the
13 principal office of the Foundation outside the District of
14 Columbia and is encouraged to locate that office in a
15 coastal shoreline community.”.

16 (f) BEST PRACTICES.—Section 113 of the Marine
17 Debris Act (Public Law 109–449), as transferred by this
18 Act and amended by subsection (e), is further amended
19 by adding at the end the following:

20 “(h) BEST PRACTICES.—

21 “(1) IN GENERAL.—The Foundation shall de-
22 velop and implement best practices for conducting
23 outreach to Indian Tribes.

24 “(2) REQUIREMENTS.—The best practices de-
25 veloped under paragraph (1) shall—

1 “(A) include a process to support technical
2 assistance and capacity building to improve out-
3 comes; and

4 “(B) promote an awareness of programs
5 and grants available under this Act.”.

6 (g) USE OF FUNDS.—Section 118 of the Marine De-
7 bris Act (Public Law 109–449), as transferred by this Act,
8 is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (1) by striking “2024”
11 and inserting “2025”;

12 (B) in paragraph (2) by striking “and
13 State and local government agencies” and in-
14 serting “, State and local government agencies,
15 United States and international nongovern-
16 mental organizations, regional organizations,
17 Indian Tribes, Tribal organizations, and foreign
18 government entities”; and

19 (2) in subsection (b)(2) by striking “and State
20 and local government agencies” and inserting “,
21 State and local government agencies, United States
22 and international nongovernmental organizations, re-
23 gional organizations, Indian Tribes, Tribal organiza-
24 tions, and foreign government entities”.

1 (h) AUTHORIZATION.—Section 9(a) of the Marine
2 Debris Act (33 U.S.C. 1958) is amended by striking “fis-
3 cal year 2023” and inserting “each of fiscal years 2024
4 and 2025”.

5 **SEC. 4. TRANSFERS.**

6 (a) SAVE OUR SEAS 2.0 ACT.—Subtitle C of title I
7 of the Save Our Seas 2.0 Act (Public Law 116–224) is
8 transferred to appear after section 119 of the Marine De-
9bris Act (Public Law 109–449) as transferred and redес-
10 igned by this Act.

11 (b) MARINE DEBRIS ACT.—The Marine Debris Act
12 (Public Law 109–449) is amended—

13 (1) by transferring sections 7, 8, and 9 to ap-
14 pear after section 127, as transferred by this Act,
15 and redesignated as sections 131, 132, and 133, re-
16 spectively; and

17 (2) by inserting before section 131, as so trans-
18 ferred and redesignated, the following:

19 **“Subtitle D—Administration”.**

20 **SEC. 5. DEFINITIONS.**

21 (a) IN GENERAL.—Section 131 of the Marine Debris
22 Act (Public Law 109–449), as transferred and redес-
23 nated by this Act, is amended—

1 (1) by redesignating paragraphs (2), (3), (4),
2 (5), (6), and (7) as paragraphs (6), (7), (8), (12),
3 (13), and (14), respectively;

4 (2) by inserting after paragraph (1) the fol-
5 lowing:

6 “(2) CIRCULAR ECONOMY.—The term ‘circular
7 economy’ has the meaning given such term in sec-
8 tion 2 of the Save Our Seas 2.0 Act (Public Law
9 116–224).

10 “(3) COASTAL SHORELINE COMMUNITY.—The
11 term ‘coastal shoreline community’ means a city or
12 county directly adjacent to the open ocean, major es-
13 tuaries, or the Great Lakes.

14 “(4) EPA ADMINISTRATOR.—The term ‘EPA
15 Administrator’ has the meaning given such term in
16 section 2 of the Save Our Seas 2.0 Act (Public Law
17 116–224).

18 “(5) INDIAN TRIBE.—The term ‘Indian Tribe’
19 has the meaning given such term in section 2 of the
20 Save Our Seas 2.0 Act (Public Law 116–224).”;

21 (3) by inserting after paragraph (9), as so re-
22 designated, the following:

23 “(10) NONPROFIT ORGANIZATION.—The term
24 ‘nonprofit organization’ has the meaning given such

1 term in section 2 of the Save Our Seas 2.0 Act
2 (Public Law 116–224).

3 “(11) POST CONSUMER MATERIALS MANAGE-
4 MENT.—The term ‘post-consumer materials manage-
5 ment’ has the meaning given such term in section 2
6 of the Save Our Seas 2.0 Act (Public Law 116–
7 224).”;

8 (4) by inserting after paragraph (14), as so re-
9 designated, the following:

10 “(15) TRIBAL ORGANIZATION.—The term ‘Trib-
11 al organization’ has the meaning given the term in
12 section 4 of the Indian Self-Determination and Edu-
13 cation Assistance Act (25 U.S.C. 5304).

14 “(16) UNDER SECRETARY.—The term ‘Under
15 Secretary’ has the meaning given such term in sec-
16 tion 2 of the Save Our Seas 2.0 Act (Public Law
17 116–224).”; and

18 (5) in paragraph (14), as so redesignated—

19 (A) by redesignating subparagraphs (B),
20 (C), and (D) as subparagraphs (C), (D), and
21 (E); and

22 (B) by inserting after subparagraph (A)
23 the following:

24 “(B) Indian Tribe;”.

25 (b) TRANSFER.—

1 (1) IN GENERAL.—Paragraph (7) of the Save
2 Our Seas 2.0 Act (Public Law 116–224) is trans-
3 ferred to section 131 of the Marine Debris Act
4 (Public Law 109–449) and redesignated to appear
5 as paragraph (9).

6 (2) REDESIGNATION.—Section 2 of the Save
7 Our Seas 2.0 Act (Public Law 116–224) is amended
8 by redesignating paragraphs (8) through (11) as
9 paragraphs (7) through (10), respectively.

10 (c) NON-FEDERAL FUNDS.—Paragraph (9)(D) of
11 section 131 of the Marine Debris Act (Public Law 109–
12 449), as transferred and redesignated by this Act, is
13 amended by striking “(as defined in section 4 of the In-
14 dian Self-Determination and Education Assistance Act
15 (25 U.S.C. 5304))”.

