

116TH CONGRESS
1ST SESSION

S. 1982

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

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2019

Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. PORTMAN, Mr. BOOKER, Mr. MURPHY, Mr. CARPER, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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,*

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Save Our Seas 2.0 Act” or the “SOS 2.0 Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Sense of Congress.

TITLE I—ENHANCING THE DOMESTIC MARINE DEBRIS
RESPONSE

Subtitle A—Marine Debris Response Trust Fund

Sec. 101. Marine Debris Response Trust Fund.

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.

Subtitle C—Genius Prize for Save Our Seas Innovations

- Sec. 121. Definitions.
- Sec. 122. Genius prize for Save Our Seas Innovations.
- Sec. 123. Save Our Seas Innovation Steering Committee.
- Sec. 124. Agreement with the Marine Debris Foundation.
- Sec. 125. Judges.
- Sec. 126. Report to Congress.
- Sec. 127. Authorization of appropriations.
- Sec. 128. Termination of authority.

Subtitle D—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 E—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. Report on minimizing the creation of new plastic waste.
- Sec. 145. Study on mass balance methodologies to certify circular polymers.

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. Definitions.
- Sec. 302. Strategy for improving waste management, recycling, and water management.
- Sec. 303. Waste management State revolving funds.
- Sec. 304. Grant programs.
- Sec. 305. Study on repurposing plastic waste in infrastructure.
- Sec. 306. Study on options to advance technologies for converting plastic waste to chemicals, feedstocks, and other products.
- Sec. 307. Study on effects of microplastics in food supplies and sources of drinking water.
- Sec. 308. Report on eliminating barriers to increase the collection of recyclable materials.
- Sec. 309. Report on economic incentives to spur development of new end-use markets for recycled plastics.

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).

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

1 (3) INDIAN TRIBE.—The term “Indian Tribe”
2 has the meaning given the term “Indian tribe” in
3 section 4 of the Indian Self-Determination and Edu-
4 cation Assistance Act (25 U.S.C. 5304).

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

8 (5) MARINE DEBRIS EVENT.—The term “ma-
9 rine debris event” means an event or related events
10 that affects or may imminently affect the United
11 States involving—

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

15 (B) distinct, nonrecurring marine debris,
16 including derelict vessel groundings and con-
17 tainer spills, that have immediate or long-term
18 impacts on habitats with high ecological, eco-
19 nomic, or human-use values; or

20 (C) marine debris caused by an intentional
21 or grossly negligent act or acts that causes sub-
22 stantial economic or environmental harm.

23 (6) NON-FEDERAL FUNDS.—The term “non-
24 Federal funds” means funds provided by—

25 (A) a State;

1 (B) an Indian Tribe;

2 (C) a territory of the United States;

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

7 (E) a private for-profit entity;

8 (F) a nonprofit organization; or

9 (G) a private individual.

10 (7) NONPROFIT ORGANIZATION.—The term
11 “nonprofit organization” means an organization that
12 is described in section 501(c) of the Internal Rev-
13 enue Code of 1986 and exempt from tax under sec-
14 tion 501(a) of such Code.

15 (8) STATE.—The term “State” means—

16 (A) a State;

17 (B) an Indian Tribe;

18 (C) the District of Columbia; and

19 (D) a territory or possession of the United
20 States.

21 (9) UNDER SECRETARY.—The term “Under
22 Secretary” means the Under Secretary of Commerce
23 for Oceans and Atmosphere and Administrator of
24 the National Oceanic and Atmospheric Administra-
25 tion.

1 (10) WASTE MANAGEMENT.—The term “waste
2 management” means the systems, operation, super-
3 vision, and aftercare of processes and equipment
4 used for waste—

5 (A) collection;

6 (B) transport;

7 (C) recovery;

8 (D) reuse;

9 (E) recycling; and

10 (F) safe disposal of waste when recovery,
11 reuse, or recycling are not otherwise available.

12 **SEC. 3. SENSE OF CONGRESS.**

13 It is the sense of Congress that—

14 (1) eliminating plastic waste from the oceans
15 requires a multi-faceted approach, including waste
16 reduction and prevention, reuse and recycling, and
17 innovation;

18 (2) both domestic and international efforts are
19 required to make progress in combating marine de-
20 bris;

21 (3) efforts by States, communities, and corpora-
22 tions to minimize the use of single-use plastic prod-
23 ucts have been successful in raising awareness of the
24 marine debris issue; and

1 (4) while we make progress toward a more sus-
 2 tainable future, we must recognize that there is sig-
 3 nificant amount of plastic waste that has already
 4 been created that must be prevented from entering
 5 the oceans through recycling, reuse, repurposing,
 6 and other innovative means.

7 **TITLE I—ENHANCING THE DO-**
 8 **MESTIC MARINE DEBRIS RE-**
 9 **SPONSE**

10 **Subtitle A—Marine Debris**
 11 **Response Trust Fund**

12 **SEC. 101. MARINE DEBRIS RESPONSE TRUST FUND.**

13 (a) IN GENERAL.—Subchapter A of chapter 98 of the
 14 Internal Revenue Code of 1986 is amended by adding at
 15 the end the following:

16 **“SEC. 9512. MARINE DEBRIS RESPONSE TRUST FUND.**

17 “(a) CREATION OF TRUST FUND.—There is estab-
 18 lished in the Treasury of the United States a trust fund
 19 to be known as the ‘Marine Debris Response Trust Fund’,
 20 consisting of such amounts as may be appropriated or
 21 credited to the Trust Fund as provided in this section.

22 “(b) PURPOSES OF TRUST FUND.—

23 “(1) IN GENERAL.—Amounts in the Marine De-
 24 bris Response Trust Fund shall be available for the
 25 National Oceanic and Atmospheric Administration

1 to respond to a marine debris event described in
2 paragraph (2), which may include—

3 “(A) monitoring, response, and prevention;

4 “(B) providing funding to States, terri-
5 tories, Tribes, and other United States Govern-
6 ment and nongovernmental organizations sup-
7 porting prevention, cleanup, and response ef-
8 forts; or

9 “(C) administrative costs relating to dis-
10 tributing amounts from the Trust Fund.

11 “(2) MARINE DEBRIS EVENT DESCRIBED.—A
12 marine debris event described in this paragraph is
13 an event that affects or may affect the United
14 States involving—

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

18 “(B) distinct, nonrecurring marine debris,
19 including derelict vessel groundings and con-
20 tainer spills, that have immediate or long-term
21 impacts on habitats with high ecological, eco-
22 nomic, or human-use values; or

23 “(C) marine debris caused by an inten-
24 tional or grossly negligent act or acts that

1 causes substantial economic or environmental
2 harm.

3 “(c) LIMITATIONS ON EXPENDITURES.—

4 “(1) MAXIMUM PER EVENT.—The maximum
5 amount that may be paid from the Marine Debris
6 Response Trust Fund with respect to any single
7 event may not exceed \$100,000,000.

8 “(2) MINIMUM BALANCE.—A payment may be
9 made from the Marine Debris Response Trust Fund
10 only if the amount in the Trust Fund after the pay-
11 ment will not be less than \$1,000,000.

12 “(3) MAXIMUM BALANCE.—Amounts in the Ma-
13 rine Debris Response Trust Fund may not exceed
14 \$500,000,000.

15 “(d) INITIAL FUNDING.—There are authorized to be
16 appropriated to the Marine Debris Response Trust Fund
17 \$2,000,000 for fiscal year 2020 to establish the Trust
18 Fund.

19 “(e) AUTHORITY TO BORROW.—

20 “(1) IN GENERAL.—There are authorized to be
21 appropriated to the Marine Debris Response Trust
22 Fund, as repayable advances, such sums as may be
23 necessary to carry out the purposes of the Trust
24 Fund.

1 “(2) LIMITATION ON AMOUNT OUTSTANDING.—

2 The maximum aggregate amount of repayable ad-
3 vances to the Marine Debris Response Trust Fund
4 outstanding at any one time may not exceed
5 \$1,000,000.

6 “(3) REPAYMENT OF ADVANCES.—

7 “(A) IN GENERAL.—Advances made to the
8 Marine Debris Response Trust Fund shall be
9 repaid, and interest on such advances shall be
10 paid, to the general fund of the Treasury when
11 the Secretary of Commerce, in consultation with
12 the Secretary of the Treasury, determines that
13 amounts are available for such purposes in the
14 Trust Fund.

15 “(B) FINAL REPAYMENT.—No advance
16 may be made to the Marine Debris Response
17 Trust Fund after September 30, 2035, and all
18 advances to such Fund shall be repaid on or be-
19 fore that date.

20 “(C) RATE OF INTEREST.—Interest on ad-
21 vances made pursuant to this subsection shall
22 be—

23 “(i) at a rate determined by the Sec-
24 retary of the Treasury (as of the close of
25 the calendar month preceding the month in

1 which the advance is made) to be equal to
2 the current average market yield on out-
3 standing marketable obligations of the
4 United States with remaining periods to
5 maturity comparable to the anticipated pe-
6 riod during which the advance will be out-
7 standing, and

8 “(ii) compounded annually.

9 “(f) AVAILABILITY OF FUNDS.—Amounts in the Ma-
10 rine Debris Response Trust Fund shall—

11 “(1) be available without fiscal year limitation
12 and without apportionment; and

13 “(2) shall supplement and not supplant other
14 amounts available for responding to marine debris
15 events.

16 “(g) INVESTMENT.—The Secretary of the Treasury
17 shall invest amounts in the Marine Debris Response Trust
18 Fund in interest bearing obligations of the United States
19 to the extent such amounts are not required to meet cur-
20 rent withdrawals. Interest earned by such investments
21 shall be credited to, and become a part of, the Trust Fund.

22 “(h) ADMINISTRATION.—The Under Secretary of
23 Commerce for Oceans and Atmosphere shall prescribe reg-
24 ulations—

1 “(1) providing for a process for submitting a
2 claim to the Marine Debris Response Trust Fund
3 and for distributing amounts from the Trust Fund
4 pursuant to those claims; and

5 “(2) providing guidance with respect to what
6 constitutes an event for which amounts will be dis-
7 tributed from the Trust Fund.

8 “(i) LIABILITY OF THE UNITED STATES LIMITED TO
9 AMOUNT IN TRUST FUND.—

10 “(1) IN GENERAL.—Any claim filed against the
11 Marine Debris Response Trust Fund may be paid
12 only out of the Trust Fund.

13 “(2) ORDER IN WHICH UNPAID CLAIMS ARE TO
14 BE PAID.—If at any time the Marine Debris Re-
15 sponse Trust Fund has insufficient funds to pay all
16 of the claims out of the Trust Fund at such time,
17 such claims shall, to the extent permitted under
18 paragraph (1), be paid in full in the order in which
19 they were finally determined.

20 “(j) NON-FEDERAL CONTRIBUTIONS TO THE TRUST
21 FUND.—

22 “(1) IN GENERAL.—A gift, award, devise, or
23 bequest, and non-Federal amounts from legal judg-
24 ments or settlements may be accepted by the Marine
25 Debris Response Trust Fund without regard to

1 whether the gift, devise, or bequest is encumbered,
 2 restricted, or subject to beneficial interests of private
 3 persons if any current or future interest in the gift,
 4 devise, or bequest is for the benefit of the Trust
 5 Fund.

6 “(2) FOREIGN GIFTS.—Any gifts, awards, de-
 7 vises, or bequests given to or received from a person
 8 in a foreign country by or to the Marine Debris Re-
 9 sponse Trust Fund shall be made only with the con-
 10 currence of the Secretary of State, in consultation,
 11 as appropriate, with the Administrator of the United
 12 States Agency for International Development.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
 14 for subchapter A of chapter 98 of such Code is amended
 15 by adding at the end the following:

“Sec. 9512. Marine Debris Response Trust Fund.”.

16 **Subtitle B—Marine Debris**
 17 **Foundation**

18 **SEC. 111. ESTABLISHMENT AND PURPOSES OF FOUNDA-**
 19 **TION.**

20 (a) ESTABLISHMENT.—There is established the Ma-
 21 rine Debris Foundation (in this subtitle referred to as the
 22 “Foundation”). The Foundation is a charitable and non-
 23 profit organization and is not an agency or establishment
 24 of the United States.

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

3 (1) to encourage, accept, and administer private
4 gifts of property for the benefit of, or in connection
5 with, the activities and services of the National Oce-
6 anic and Atmospheric Administration under the Ma-
7 rine Debris Program established under section 3 of
8 the Marine Debris Act (33 U.S.C. 1952), and other
9 relevant programs and agencies;

10 (2) to undertake and conduct such other activi-
11 ties as will further the efforts of the National Oce-
12 anic and Atmospheric Administration to assess, pre-
13 vent, reduce, and remove marine debris and address
14 the adverse impacts of marine debris on the economy
15 of the United States, the marine environment, and
16 navigation safety;

17 (3) to participate with, and otherwise assist,
18 State, local, and Tribal governments, foreign govern-
19 ments, entities, and individuals in undertaking and
20 conducting activities to assess, prevent, reduce, and
21 remove marine debris and address the adverse im-
22 pacts of marine debris and its root causes on the
23 economy of the United States, the marine environ-
24 ment (including waters in the jurisdiction of the
25 United States, the high seas, and waters in the ju-

1 jurisdiction of other countries), and navigation safety;
2 and

3 (4) to support other Federal actions to reduce
4 marine debris.

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

6 (a) ESTABLISHMENT AND MEMBERSHIP.—

7 (1) IN GENERAL.—The Foundation shall have a
8 governing Board of Directors (in this subtitle re-
9 ferred to as the “Board”), which shall consist of the
10 Under Secretary and 12 additional Directors ap-
11 pointed in accordance with subsection (b) from
12 among individuals who are United States citizens.

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

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

22 (b) APPOINTMENT AND TERMS.—

23 (1) APPOINTMENT.—Subject to paragraph (2),
24 after consulting with the EPA Administrator, the
25 Director of the United States Fish and Wildlife

1 Service, the Assistant Secretary of State for the Bu-
2 reau of Oceans and International Environmental and
3 Scientific Affairs, and the Administrator of the
4 United States Agency for International Develop-
5 ment, and considering the recommendations sub-
6 mitted by the Board, the Under Secretary shall ap-
7 point 12 Directors who meet the criteria established
8 by subsection (a), of whom—

9 (A) at least 4 shall be educated or experi-
10 enced in the assessment, prevention, reduction,
11 or removal of marine debris, which may include
12 an individual with expertise in waste manage-
13 ment, recycling, reuse, or a circular economy;

14 (B) at least 2 shall be educated or experi-
15 enced in the assessment, prevention, reduction,
16 or removal of marine debris outside the United
17 States;

18 (C) at least 2 shall be educated or experi-
19 enced in ocean and coastal resource conserva-
20 tion science or policy; and

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

23 (2) TERMS.—

24 (A) IN GENERAL.—Subject to subpara-
25 graph (B), each Director (other than the Under

1 Secretary) shall be appointed for a term of 6
2 years.

3 (B) INITIAL APPOINTMENTS TO NEW MEM-
4 BER POSITIONS.—Of the Directors appointed by
5 the Under Secretary under paragraph (1), the
6 Secretary shall appoint, not later than 180 days
7 after the date of the enactment of this Act—

8 (i) four Directors for a term of 6
9 years;

10 (ii) four Directors for a term of 4
11 years; and

12 (iii) four Directors for a term of 2
13 years.

14 (3) VACANCIES.—

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

17 (B) TERM OF APPOINTMENTS TO FILL UN-
18 EXPIRED TERMS.—An individual appointed to
19 fill a vacancy that occurs before the expiration
20 of the term of a Director shall be appointed for
21 the remainder of the term.

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

1 (5) REQUEST FOR REMOVAL.—The executive
2 committee of the Board may submit to the Under
3 Secretary a letter describing the nonperformance of
4 a Director and requesting the removal of the Direc-
5 tor from the Board.

6 (6) CONSULTATION BEFORE REMOVAL.—Before
7 removing any Director from the Board, the Under
8 Secretary shall consult with the Assistant Secretary
9 of State for the Bureau of Oceans and International
10 Environmental and Scientific Affairs, the Director of
11 the United States Fish and Wildlife Service, and the
12 EPA Administrator.

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

15 (d) QUORUM.—A majority of the current membership
16 of the Board shall constitute a quorum for the transaction
17 of business.

18 (e) MEETINGS.—The Board shall meet at the call of
19 the Chairman at least once a year. If a Director misses
20 3 consecutive regularly scheduled meetings, that individual
21 may be removed from the Board and that vacancy filled
22 in accordance with subsection (b).

23 (f) REIMBURSEMENT OF EXPENSES.—Members of
24 the Board shall serve without pay, but may be reimbursed
25 for the actual and necessary traveling and subsistence ex-

1 penses incurred by them in the performance of the duties
2 of the Foundation.

3 (g) GENERAL POWERS.—

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

6 (A) appointing officers and employees;

7 (B) adopting a constitution and bylaws
8 consistent with the purposes of the Foundation
9 and the provisions of this subtitle; and

10 (C) undertaking of other such acts as may
11 be necessary to carry out the provisions of this
12 subtitle.

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

16 (A) Officers and employees may not be ap-
17 pointed until the Foundation has sufficient
18 funds to pay them for their service. Officers
19 and employees of the Foundation shall be ap-
20 pointed without regard to the provisions of title
21 5, United States Code, governing appointments
22 in the competitive service, and may be paid
23 without regard to the provisions of chapter 51
24 and subchapter III of chapter 53 of such title

1 relating to classification and General Schedule
2 pay rates.

3 (B) The first officer or employee appointed
4 by the Board shall be the Secretary of the
5 Board who—

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

8 (ii) shall be knowledgeable and experi-
9 enced in matters relating to the assess-
10 ment, prevention, reduction, and removal
11 of marine debris.

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

13 (a) IN GENERAL.—The Foundation—

14 (1) shall have perpetual succession;

15 (2) may conduct business throughout the sev-
16 eral States, territories, and possessions of the
17 United States and abroad;

18 (3) shall have its principal offices in the Dis-
19 trict of Columbia or in a county in the State of
20 Maryland or Virginia that borders on the District of
21 Columbia; and

22 (4) shall at all times maintain a designated
23 agent authorized to accept service of process for the
24 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)(4), or mailed to the business address of such
4 agent, shall be deemed as service upon or notice to the
5 Foundation.

6 (c) SEAL.—The Foundation shall have an official seal
7 selected by the Board which shall be judicially noticed.

8 (d) POWERS.—

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

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

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

23 (C) to invest any funds provided to the
24 Foundation by the Federal Government in obli-
25 gations of the United States or in obligations or

1 securities that are guaranteed or insured by the
2 United States;

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

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

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

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

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

22 (I) to sue and be sued, and complain and
23 defend itself in any court of competent jurisdic-
24 tion, except that the Directors of the Founda-

1 tion shall not be personally liable, except for
2 gross negligence;

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

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

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

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

1 (f) COORDINATION OF INTERNATIONAL EFFORTS.—
2 Any efforts of the Foundation carried out in a foreign
3 country, and any grants provided to an individual or entity
4 in a foreign country, shall be made only with the concur-
5 rence of the Secretary of State, in consultation, as appro-
6 priate, with the Administrator of the United States Agen-
7 cy for International Development.

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

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

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

21 (b) REIMBURSEMENT.—The Foundation may reim-
22 burse the Under Secretary for any administrative service
23 provided under subsection (a). The Under Secretary shall
24 deposit any reimbursement received under this subsection
25 into the Treasury to the credit of the appropriations then

1 current and chargeable for the cost of providing such serv-
2 ices.

3 **SEC. 115. VOLUNTEER STATUS.**

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

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

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

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

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

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

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

6 (2) refuses, fails, or neglects to discharge its
7 obligations under this subtitle, or threatens to do so,
8 the Attorney General may petition in the United States
9 District Court for the District of Columbia for such equi-
10 table relief as may be necessary or appropriate.

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

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

16 **SEC. 118. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There are authorized to be
19 appropriated to the Secretary of Commerce such
20 sums as may be necessary to carry out this subtitle
21 for each of fiscal years 2020 through 2025.

22 (2) USE OF APPROPRIATED FUNDS.—Subject to
23 paragraph (3), amounts made available under para-
24 graph (1) shall be provided to the Foundation to
25 match contributions (whether in currency, services,

1 or property) made to the Foundation, or to a recipi-
2 ent of a grant provided by the Foundation, by pri-
3 vate persons and State and local government agen-
4 cies.

5 (3) PROHIBITION ON USE FOR ADMINISTRATIVE
6 EXPENSES.—

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

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

19 (b) ADDITIONAL AUTHORIZATION.—

20 (1) IN GENERAL.—In addition to the amounts
21 authorized to be appropriated under subsection (a),
22 the Foundation may accept Federal funds from a
23 Federal agency under any other Federal law for use
24 by the Foundation to further the assessment, pre-

1 vention, reduction, and removal of marine debris in
2 accordance with the requirements of this subtitle.

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

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

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

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

18 **Subtitle C—Genius Prize for Save**
19 **Our Seas Innovations**

20 **SEC. 121. DEFINITIONS.**

21 In this subtitle:

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

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

3 **SEC. 122. GENIUS PRIZE FOR SAVE OUR SEAS INNOVA-**
4 **TIONS.**

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

10 (1) to encourage technological innovation with
11 the potential to reduce plastic waste and thereby
12 prevent marine debris; and

13 (2) to award 1 or more prizes biennially for
14 projects that advance human understanding and in-
15 novation in removing and preventing plastic waste,
16 including—

17 (A) advancements in materials used in
18 packaging and other products that, if such
19 products enter the coastal or ocean environ-
20 ment, will fully degrade without harming the
21 environment, wildlife, or human health;

22 (B) innovations in production and pack-
23 aging design that reduce the use of raw mate-
24 rials, increase recycled content, encourage

1 reusability and recyclability, and promote a cir-
2 cular economy;

3 (C) improvements in marine debris detec-
4 tion, monitoring, and cleanup technologies and
5 processes;

6 (D) technological improvements or im-
7 proved strategies to increase solid waste collec-
8 tion, processing, sorting, recycling, reuse, or
9 repurposing; and

10 (E) new designs or strategies to reduce
11 overall packaging needs.

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

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

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

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

23 (3) promote development of materials that—

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

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

8 **SEC. 123. SAVE OUR SEAS INNOVATION STEERING COM-**
9 **MITTEE.**

10 (a) ESTABLISHMENT.—The Secretary shall establish
11 a steering committee, to be known as the “Save Our Seas
12 Innovation Steering Committee” (in this subtitle referred
13 as the “Committee”) to provide expert advice and rec-
14 ommendations in the establishment of the prize competi-
15 tion, selection of awardees, and analysis of the successes
16 of the prize competition.

17 (b) DUTIES.—Subject to subsection (d), with respect
18 to the prize competition, the Committee shall—

19 (1) select a topic;

20 (2) issue a problem statement; and

21 (3) advise the Secretary on any opportunity for
22 market-scale development of technological innovation
23 to prevent marine plastic debris and promote the de-
24 velopment of materials that fully degrade in ocean

1 and coastal environments without harming the envi-
2 ronment, wildlife, or human health.

3 (c) COMPETITION JUDGES.—A member of the Com-
4 mittee may serve as a judge for the prize competition
5 under section 125.

6 (d) ADMINISTRATIVE COST REDUCTION.—The Com-
7 mittee shall, to the maximum extent practicable, minimize
8 the administrative costs of the Committee, including by
9 encouraging remote participation to reduce travel costs.

10 (e) CONSULTATION.—In selecting a topic and issuing
11 a problem statement for the prize competition under sub-
12 paragraphs (A) and (B) of subsection (b)(1), respectively,
13 the Committee shall consult widely with Federal and non-
14 Federal stakeholders, including—

15 (1) 1 or more Federal agencies with jurisdiction
16 over the prevention of marine debris or the pro-
17 motion of innovative materials;

18 (2) 1 or more State agencies with jurisdiction
19 over the prevention of marine debris or the pro-
20 motion of innovative materials;

21 (3) 1 or more State, regional, or local conserva-
22 tion or waste management organizations, the mis-
23 sion of which relates to the prevention of marine de-
24bris or the promotion of innovative materials;

1 (4) 1 or more conservation groups, technology
2 companies, research institutions, institutions of high-
3 er education, industry associations, or individual
4 stakeholders with an interest in the prevention of
5 marine debris or the promotion of innovative mate-
6 rials;

7 (5) 1 or more experts in the area of standards
8 development regarding the degradation, breakdown,
9 or recycling of polymers; and

10 (6) experts in the following areas:

11 (A) Polymer chemistry.

12 (B) Wildlife conservation and management.

13 (C) Marine biology or animal science.

14 (D) Waste management.

15 (E) Technology development.

16 (F) Engineering.

17 (G) Lifecycle assessment.

18 (H) Economics.

19 (I) Recycling.

20 (J) Business development and manage-
21 ment.

22 (K) Marine environmental chemistry.

23 (L) Any other discipline that the Secretary
24 determines to be necessary to achieve the pur-
25 poses of this subtitle.

1 (f) NONAPPLICABILITY OF THE FEDERAL ADVISORY
2 COMMITTEE ACT.—

3 (1) IN GENERAL.—The Federal Advisory Com-
4 mittee Act (5 U.S.C. App.) shall not apply with re-
5 spect to the Committee.

6 (2) APPLICABILITY OF FINANCIAL DISCLOSURE
7 REQUIREMENTS.—Notwithstanding paragraph (1),
8 section 208(b)(3) of title 18, United States Code,
9 shall apply with respect to Government employees
10 serving on the Committee.

11 **SEC. 124. AGREEMENT WITH THE MARINE DEBRIS FOUNDA-**
12 **TION.**

13 (a) IN GENERAL.—The Secretary shall offer to enter
14 into an agreement, which may include a grant or coopera-
15 tive agreement, under which the Marine Debris Founda-
16 tion established under subtitle B shall administer the prize
17 competition.

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

21 (1) DUTIES.—The Marine Debris Foundation
22 shall—

23 (A) advertise the prize competition;

24 (B) solicit prize competition participants;

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

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

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

7 (ii) to award a cash prize;

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

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

13 (ii) the costs of a cash prize;

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

17 (G) provide advice and consultation to the
18 Secretary on the selection of judges under sec-
19 tion 125 based on criteria developed in con-
20 sultation with, and subject to the final approval
21 of, the Secretary;

22 (H) announce 1 or more annual winners of
23 the prize competition;

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

4 (J) 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)(I) 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. 125. 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. 126. REPORT TO CONGRESS.**

20 Not later than 60 days after the date on which a cash
21 prize is awarded under this subtitle, the Secretary shall
22 submit to the Committee on Commerce, Science, and
23 Transportation of the Senate and the Committee on Nat-
24 ural Resources of the House of Representatives a report
25 on the prize competition that includes—

1 (1) a statement by the Committee that de-
2 scribes the activities carried out by the Committee
3 relating to the duties described in section 123;

4 (2) if the Secretary has entered into an agree-
5 ment under section 124, a statement by the Marine
6 Debris Foundation that describes the activities car-
7 ried out by the Marine Debris Foundation relating
8 to the duties described in section 123; and

9 (3) a statement by 1 or more of the judges ap-
10 pointed under section 125 that explains the basis on
11 which the winner of the cash prize was selected.

12 **SEC. 127. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) **AUTHORIZATION.**—There are authorized to be ap-
14 propriated such sums as may be necessary for expenses,
15 including administrative expenses, relating to the prize
16 competition.

17 (b) **REIMBURSEMENT OF EXPENSES.**—Members of
18 the Committee and judges appointed under section 125
19 shall serve without pay, but may be reimbursed for the
20 actual and necessary traveling and subsistence expenses.

21 **SEC. 128. TERMINATION OF AUTHORITY.**

22 The prize program will terminate after 5 prize com-
23 petition cycles have been completed.

1 **Subtitle D—Other Measures Relat-**
2 **ing to Combating Marine Debris**

3 **SEC. 131. PRIORITIZATION OF MARINE DEBRIS IN EXISTING**
4 **INNOVATION AND ENTREPRENEURSHIP PRO-**
5 **GRAMS.**

6 The Secretary of Commerce, the Secretary of Energy,
7 the EPA Administrator, and the heads of other relevant
8 Federal agencies, shall prioritize efforts to combat marine
9 debris in innovation and entrepreneurship programs estab-
10 lished before the date of the enactment of this Act, includ-
11 ing by using such programs to increase innovation in and
12 the effectiveness of waste management, monitoring, detec-
13 tion, data-sharing related to the prevalence and location
14 of marine debris, demand for recycled content, alternative
15 uses for plastic waste, product design, reduction of dispos-
16 able plastic consumer products and packaging, ocean bio-
17 degradable materials development, waste prevention, and
18 cleanup.

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

20 Not later than 1 year after the date of the enactment
21 of this Act, the Under Secretary and the EPA Adminis-
22 trator shall jointly conduct a study to determine the feasi-
23 bility of developing a nationwide derelict vessel recycling
24 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. 133. 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
9 advisability of providing incentives, such as grants, to fishermen based in the United States who
10 incidentally capture marine debris while at sea—
11

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

13 (2) to dispose of the debris properly on land.
14

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

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

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

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

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

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
3 9(a) of the Marine Debris Act (33 U.S.C. 1958(a)) is
4 amended by—

5 (1) striking “\$10,000,000” and inserting
6 “\$15,000,000”; and

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

9 (b) ENHANCEMENT OF PURPOSE.—Section 2 of the
10 Marine Debris Act (33 U.S.C. 1951) is amended by strik-
11 ing “marine environment,” and inserting “marine environ-
12 ment (including waters in the jurisdiction of the United
13 States, the high seas, and waters in the jurisdiction of
14 other countries),”.

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

18 (1) in subparagraph (B), by striking “the
19 matching requirement under subparagraph (A)” and
20 inserting “a matching requirement under subpara-
21 graph (A) or (C)”;

22 (2) in subparagraph (C), in the matter pre-
23 ceding clause (i), by striking “Notwithstanding sub-
24 paragraph (A)” and inserting “Notwithstanding sub-
25 paragraph (A) and except as provided in subpara-
26 graph (B)”.

1 **SEC. 135. MARINE DEBRIS ON NATIONAL FOREST SYSTEM**

2 **LAND.**

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

8 (b) TEMPORARY STORAGE.—Marine debris may be
9 stored on National Forest System land in a location deter-
10 mined by the Secretary for not more than 60 days.

11 (c) REQUIREMENTS.—Except as otherwise provided
12 in this section, any activities related to the removal of ma-
13 rine debris from National Forest System land shall be con-
14 ducted in a manner consistent with applicable law and reg-
15 ulations and subject to such reasonable terms and condi-
16 tions as the Secretary may require.

17 **Subtitle E—Studies and Reports**

18 **SEC. 141. REPORT ON OPPORTUNITIES FOR INNOVATIVE**

19 **USES OF PLASTIC WASTE.**

20 Not later than 2 years after the date of the enact-
21 ment of this Act, the Marine Debris Coordinating Com-
22 mittee established under section 5 of the Marine Debris
23 Act (33 U.S.C. 1954) (in this subtitle referred to as the
24 “Interagency Marine Debris Coordinating Committee”)
25 shall submit to Congress a report on innovative uses for
26 plastic waste other than in infrastructure.

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

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

6 (1) a definition for “microfiber”;

7 (2) an assessment of the sources, prevalence,
8 and causes of microfiber pollution;

9 (3) a recommendation for a standardized meth-
10 odology to measure and estimate the prevalence of
11 microfiber pollution;

12 (4) recommendations for reducing microfiber
13 pollution; and

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

18 **SEC. 143. STUDY ON UNITED STATES PLASTIC POLLUTION**

19 **DATA.**

20 (a) IN GENERAL.—The Under Secretary, in consulta-
21 tion with the EPA Administrator, 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 undertake a multifaceted study that in-
25 cludes the following:

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

4 (2) An assessment of the prevalence of marine
5 debris and mismanaged plastic waste in saltwater
6 and freshwater United States waterways.

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

11 (1) the findings of the National Academies;

12 (2) recommendations on knowledge gaps that
13 warrant further scientific inquiry; and

14 (3) recommendations on the potential value of
15 a national marine debris tracking and monitoring
16 system and how such a system might be designed
17 and implemented.

18 **SEC. 144. REPORT ON MINIMIZING THE CREATION OF NEW**
19 **PLASTIC WASTE.**

20 Not later than 2 years after the date of the enact-
21 ment of this Act, the Interagency Marine Debris Coordi-
22 nating Committee shall submit to Congress a report on
23 minimizing the creation of new plastic waste.

1 **SEC. 145. 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; and

21 (2) an assessment of any legal or regulatory
22 barriers to developing a standard and certification
23 system for circular polymers.

24 (c) DEFINITIONS.—In this section:

25 (1) CIRCULAR POLYMERS.—The term “circular
26 polymers” means polymers that can be reused mul-

1 tiple times or converted into a new, higher-quality
2 product.

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

10 **TITLE II—ENHANCED GLOBAL**
11 **ENGAGEMENT TO COMBAT**
12 **MARINE DEBRIS**

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

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

22 (1) to increase knowledge and raise awareness
23 about—

1 (A) the linkages between the sources of
2 plastic waste, mismanaged waste, and marine
3 debris; and

4 (B) the upstream and downstream causes
5 and effects of plastic waste, mismanaged waste,
6 and marine debris on marine environments, ma-
7 rine wildlife, human health, and economic devel-
8 opment;

9 (2) to support—

10 (A) strengthening systems for recovering,
11 managing, reusing (to the extent practicable),
12 and recycling plastic waste, marine debris, and
13 microfiber pollution in the world's oceans, em-
14 phasizing upstream waste management solu-
15 tions—

16 (i) to mitigate plastic waste at its
17 source; and

18 (ii) to prevent leakage of plastic waste
19 into the environment;

20 (B) advancing the utilization and avail-
21 ability of safe and affordable reusable alter-
22 natives to disposable plastic products in com-
23 merce, to the extent practicable, and with con-
24 sideration for the potential impacts of such al-

1 ternatives, and other efforts to prevent marine
2 debris;

3 (C) deployment of and access to advanced
4 technologies to capture value from municipal
5 solid waste streams through mechanical and
6 other recycling systems;

7 (D) access to information on best practices
8 in waste management, options for waste system
9 financing, and options for participating in pub-
10 lic-private partnerships; and

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

17 (3) to work cooperatively with international
18 partners—

19 (A) on establishing—

20 (i) measurable targets for reducing
21 marine debris, lost fishing gear, and plastic
22 waste from all sources; and

23 (ii) action plans to achieve those tar-
24 gets with a mechanism to provide regular
25 reporting;

1 (B) to promote consumer education,
2 awareness, and outreach to prevent marine de-
3 bris;

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

7 (D) to share best practices in waste man-
8 agement systems to prevent the entry of plastic
9 waste into the environment.

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

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

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

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

24 (A) to partner with, encourage, advise and
25 facilitate national and subnational governments

1 on the development and execution, where prac-
2 ticable, of national projects, programs and ini-
3 tiatives to—

4 (i) improve the capacity, security, and
5 standards of operations of waste manage-
6 ment systems;

7 (ii) monitor and track how well waste
8 management systems are functioning na-
9 tionwide, based on uniform and trans-
10 parent standards developed in cooperation
11 with municipal, industrial, and civil society
12 stakeholders;

13 (iii) identify waste management sys-
14 tems' operational challenges and develop
15 policy and programmatic 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;

23 (B) to facilitate the involvement of munici-
24 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 management best practices
9 and waste collection services in foreign coun-
10 tries by—

11 (i) maximizing the number of people
12 and businesses, in both rural and urban
13 communities, receiving reliable solid waste
14 management services and using safe and
15 responsible practices for properly dis-
16 posing, including recycling or reusing
17 waste materials;

18 (ii) improving and expanding the ca-
19 pacity of foreign industries to responsibly
20 manage waste;

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

1 (iv) eliminating incentives that under-
2 mine responsible waste management prac-
3 tices and lead to improper waste disposal
4 practices and leakage;

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

7 (I) to monitor, regulate, and
8 manage waste, plastic waste, and pol-
9 lution appropriately and trans-
10 parently;

11 (II) to encourage private invest-
12 ment in waste management, including
13 collection services and responsible and
14 beneficial reuse of plastic waste prod-
15 ucts; and

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

24 (1) rapidly developing economies; and

1 (2) rivers and coastal areas that are the most
2 severe sources of marine debris.

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

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

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

15 In implementing the policy described in section 201,
16 the President shall direct the United States representa-
17 tives to appropriate international bodies and conferences
18 (such as the United Nations Environment Programme,
19 the Association of Southeast Asian Nations, the Asia Pa-
20 cific Economic Cooperation, the Group of 7, the Group
21 of 20, and the Our Ocean Conference) to use the voice,
22 vote, and influence of the United States, consistent with
23 the broad foreign policy goals of the United States, to ad-
24 vocate that each such body—

1 (1) commit to significantly increasing efforts to
2 promote investment in well-designed waste manage-
3 ment and plastic waste elimination and mitigation
4 projects and services that increase access to safe
5 waste management and mitigation services, in part-
6 nership with the private sector and consistent with
7 the constraints of other countries;

8 (2) address the waste management needs of in-
9 dividuals and communities where access to municipal
10 waste management services is historically impractical
11 or cost-prohibitive;

12 (3) enhance coordination with the private sec-
13 tor—

14 (A) to increase access to solid waste man-
15 agement services;

16 (B) to utilize safe and affordable reusable
17 alternatives to disposable plastic products, to
18 the extent practicable;

19 (C) to encourage and incentivize the use of
20 recycled content; and

21 (D) to grow economic opportunities and
22 develop markets for recyclable, reusable, and
23 repurposed plastic waste materials and other ef-
24 forts that support the circular economy;

1 (4) provide technical assistance to foreign regu-
2 latory authorities and governments to remove unnec-
3 essary barriers to investment in otherwise commer-
4 cially-viable projects related to—

5 (A) waste management including recycling;

6 (B) the use of safe and affordable reusable
7 alternatives to disposable plastic products, to
8 the extent practicable; or

9 (C) beneficial reuse of solid waste, plastic
10 waste, plastic products, and refuse;

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

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

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

21 (B) developing and implementing best
22 practices for collecting, disposing, recycling, and
23 reusing plastic waste, including building capac-
24 ity for improving waste management at the na-
25 tional and subnational levels of foreign coun-

1 tries, particularly countries with little to no
2 solid waste management systems, facilities, or
3 policies in place;

4 (C) encouraging the development of stand-
5 ards and practices, and increasing recycled con-
6 tent percentage requirements for disposable
7 plastic products;

8 (D) integrating tracking and monitoring
9 systems into waste management systems;

10 (E) fostering research to improve scientific
11 understanding of—

12 (i) how microfibers and microplastics
13 may affect marine ecosystems, human
14 health and safety, and maritime activities;

15 (ii) changes in the amount and re-
16 gional concentrations of plastic waste in
17 the ocean, based on scientific modeling and
18 forecasting;

19 (iii) the role rivers, streams, and other
20 inland waterways play in serving as con-
21 duits for mismanaged waste traveling from
22 land to the ocean;

23 (iv) effective means to eliminate
24 present and future leakages of plastic
25 waste into the environment; and

1 (v) other related areas of research the
2 United States representatives deem nec-
3 essary;

4 (F) encouraging the World Bank and other
5 international finance organizations to prioritize
6 efforts to combat marine debris;

7 (G) collaborating on technological advances
8 in waste management and recycled plastics;

9 (H) growing economic opportunities and
10 developing markets for recyclable, reusable, and
11 repurposed plastic waste materials and other ef-
12 forts that support the circular economy; and

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

19 (i) solid waste;

20 (ii) plastic waste; and

21 (iii) marine debris.

1 **SEC. 204. ENHANCING INTERNATIONAL OUTREACH AND**
2 **PARTNERSHIP OF UNITED STATES AGENCIES**
3 **INVOLVED IN MARINE DEBRIS ACTIVITIES.**

4 (a) FINDINGS.—Congress recognizes the success of
5 the marine debris program of the National Oceanic and
6 Atmospheric Administration and the Trash-Free Waters
7 program of the Environmental Protection Agency.

8 (b) AUTHORIZATION OF EFFORTS TO BUILD FOR-
9 EIGN PARTNERSHIPS.—The Under Secretary and the
10 EPA Administrator shall work with the Secretary of State
11 and the Administrator of the United States Agency for
12 International Development to build partnerships, as ap-
13 propriate, with the governments of foreign countries and
14 to support international efforts to combat marine debris.

15 **SEC. 205. NEGOTIATION OF NEW INTERNATIONAL AGREE-**
16 **MENTS.**

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

20 (1) assessing the potential for negotiating new
21 international agreements or creating a new inter-
22 national forum to reduce land-based sources of ma-
23 rine debris and derelict fishing gear, consistent with
24 section 203;

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

1 (3) assessing potential parties to such agree-
2 ments.

3 **SEC. 206. CONSIDERATION OF MARINE DEBRIS IN NEGOTI-**
4 **ATING INTERNATIONAL AGREEMENTS.**

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

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

11 (2) ensure that the agreement strengthens ef-
12 forts to eliminate land-based sources of plastic waste
13 and other solid waste from that country that impact
14 the marine and aquatic environment.

15 **TITLE III—IMPROVING DOMES-**
16 **TIC INFRASTRUCTURE TO**
17 **PREVENT MARINE DEBRIS**

18 **SEC. 301. DEFINITIONS.**

19 In this title:

20 (1) **INTENDED USE PLAN.**—The term “intended
21 use plan” means a plan developed by a State under
22 section 303(c)(1).

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

24 (A) a State;

25 (B) an Indian Tribe;

1 (C) the District of Columbia; and

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

4 (3) STATE LOAN FUND.—The term “State loan
5 fund” means a waste management revolving loan
6 fund established by a State under section
7 303(a)(2)(B).

8 (4) INDIAN TRIBE.—The term “Indian Tribe”
9 has the meaning given the term “Indian tribe” in
10 section 4 of the Indian Self-Determination and Edu-
11 cation Assistance Act (25 U.S.C. 5304).

12 **SEC. 302. STRATEGY FOR IMPROVING WASTE MANAGE-**
13 **MENT, RECYCLING, AND WATER MANAGE-**
14 **MENT.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the EPA Administrator
17 shall, in consultation with stakeholders, develop a strategy
18 to improve waste management and recycling infrastruc-
19 ture, particularly for waste management and recycling in-
20 frastructure systems not meeting national standards
21 under subtitle D of the Solid Waste Disposal Act (42
22 U.S.C. 6941 et seq.) and other waste standards, for the
23 purpose of reducing potential leakage of plastic waste and
24 other solid waste into waterways and oceans.

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

3 (1) distribute the strategy to States and units
4 of local government; and

5 (2) make the strategy publicly available for use
6 by—

7 (A) for-profit private waste management
8 and recycling entities; and

9 (B) other nongovernmental entities.

10 (c) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the strategy under subsection (a) should include
12 guidance, for the purpose of reducing potential leakage of
13 plastic waste and other solid waste into waterways and
14 oceans, relating to—

15 (1) the harmonization of waste collection proto-
16 cols;

17 (2) the harmonization of recycling protocols for
18 municipal recycling programs, including—

19 (A) best practices for the collection of resi-
20 dential recyclables;

21 (B) improved quality and sorting of recy-
22 clable materials through opportunities such
23 as—

24 (i) education and awareness pro-
25 grams;

- 1 (ii) improved infrastructure, including
2 new equipment and innovative technologies
3 for processing of recyclable materials;
- 4 (iii) enhanced markets for recycled
5 material; and
- 6 (iv) standardized measurements; and
- 7 (C) increasing capacity for more types of
8 plastic (including plastic films) and other mate-
9 rials to be collected, processed, and recycled or
10 repurposed into usable materials or products;
- 11 (3) the development of new strategies and pro-
12 grams that prioritize engagement and cooperation
13 with States and the private sector to expedite efforts
14 and assistance in States to partner with, encourage,
15 advise, and facilitate the development and execution,
16 where practicable, of projects, programs, and initia-
17 tives—
- 18 (A) to improve the capacity, security, and
19 standards of operations of waste management
20 systems;
- 21 (B) to monitor and track how well waste
22 management systems are functioning, based on
23 uniform and transparent standards developed in
24 cooperation with municipal, industrial, Federal,
25 and civil society stakeholders;

1 (C)(i) to identify the operational challenges
2 of waste management systems; and

3 (ii) to develop policy and programmatic so-
4 lutions to those challenges; and

5 (D) to end intentional and unintentional
6 incentives for municipalities, industries, and in-
7 dividuals to improperly dispose of municipal
8 solid waste; and

9 (4) strengthening markets for products with
10 high levels of recycled plastic content.

11 (d) COMPLEMENTARY ACTIVITIES.—It is the sense of
12 Congress that the strategy developed under subsection (a)
13 should include guidance on activities that are complemen-
14 tary to the activities described in subsection (c), such as—

15 (1) reducing waste at the source of the waste,
16 including anti-litter initiatives;

17 (2) developing effective trash provisions for—

18 (A) national pollutant discharge elimi-
19 nation system permits issued to municipal sepa-
20 rate storm sewer systems under section 402 of
21 the Federal Water Pollution Control Act (33
22 U.S.C. 1342); and

23 (B) stormwater management plans;

24 (3) capturing trash at stormwater inlets,
25 stormwater outfalls, or in bodies of water;

1 (4) providing education and outreach relating to
2 trash movement and reduction; and

3 (5) monitoring or modeling waste flows and the
4 reduction of waste resulting from the implementa-
5 tion of best management practices.

6 **SEC. 303. WASTE MANAGEMENT STATE REVOLVING FUNDS.**

7 (a) BLOCK GRANTS TO STATES TO ESTABLISH LOAN
8 FUNDS.—

9 (1) IN GENERAL.—The EPA Administrator
10 shall offer to enter into agreements with eligible
11 States to make capitalization block grants, including
12 letters of credit, to the States under this sub-
13 section—

14 (A) to support improvements to local waste
15 management systems, including traditional and
16 innovative recycling and reuse technologies;

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

20 (i) to meet waste management stand-
21 ards under subtitle D of the Solid Waste
22 Disposal Act (42 U.S.C. 6941 et seq.),
23 particularly with respect to systems falling
24 significantly below national standards

1 under that subtitle, as determined by the
2 EPA Administrator; and

3 (ii) to implement the strategy devel-
4 oped under section 302(a);

5 (C) to deploy waste interceptor tech-
6 nologies, such as “trash wheels” and litter
7 traps, to manage the collection and cleanup of
8 aggregated waste from waterways; and

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

11 (2) ELIGIBILITY.—To be eligible to receive a
12 capitalization block grant under this subsection, a
13 State shall—

14 (A) enter into a capitalization agreement
15 with the EPA Administrator under paragraph
16 (1); and

17 (B) establish a waste management revol-
18 ving State loan fund.

19 (3) DEPOSIT.—Funds from a capitalization
20 block grant to a State under this subsection shall be
21 deposited in the State loan fund established by the
22 State.

23 (4) PERIOD.—Funds from a capitalization block
24 grant to a State under this subsection shall be avail-
25 able to the State for obligation—

1 (A) during the fiscal year for which the
2 funds are authorized; and

3 (B) during the following fiscal year.

4 (5) ALLOTMENT.—Funds made available to
5 carry out this section shall be allotted to States at
6 the discretion of the EPA Administrator.

7 (6) REALLOTMENT.—Any funds not obligated
8 by a State by the last day of the period for which
9 the block grants are available shall be reallocated in
10 accordance with paragraph (5).

11 (b) USE OF FUNDS.—

12 (1) IN GENERAL.—Amounts deposited in a
13 State loan fund, including loan repayments and in-
14 terest earned on the amounts, shall be used only—

15 (A) for providing loans or loan guarantees;

16 (B) for outcomes-based or performance
17 payments; or

18 (C) as a source of reserve and security for
19 leveraged loans.

20 (2) LIMITATIONS.—Loans or loan guarantees
21 made by a State under paragraph (1)(A)—

22 (A) may be used only for expenditures of
23 a type or category that the EPA Administrator
24 has determined, through guidance, will—

1 (i) facilitate compliance with an in-
2 tended use plan; or

3 (ii) otherwise significantly further the
4 purposes described in subparagraphs (A)
5 through (C) of subsection (a)(1); and

6 (B) may not be used for the acquisition of
7 real property or an interest in real property,
8 unless the acquisition is—

9 (i) integral to an intended use plan;

10 and

11 (ii) from a willing seller.

12 (c) INTENDED USE PLANS.—

13 (1) IN GENERAL.—After providing for public
14 review and comment, each State that has entered
15 into a capitalization agreement under subsection
16 (a)(1) annually shall prepare a plan that identifies
17 the intended uses of the amounts available from the
18 State loan fund of the State.

19 (2) CONTENTS.—An intended use plan shall in-
20 clude—

21 (A) a list of the projects to be carried out
22 by entities receiving the loans in the first fiscal
23 year that begins after the date of the intended
24 use plan, including a description of the project;

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

3 (C) the criteria and methods established
4 for the use of the funds; and

5 (D) a description of the financial status of
6 the State loan fund and the short- and long-
7 term goals of the State loan fund.

8 (3) LIST OF PROJECTS.—Each State, after no-
9 tice and opportunity for public comment, shall pub-
10 lish, and periodically update, a list of projects in the
11 State that are eligible for assistance under this sec-
12 tion, including—

13 (A) the priority assigned to each project;
14 and

15 (B) to the maximum extent practicable,
16 the expected funding schedule for each project.

17 (d) FUND MANAGEMENT.—

18 (1) IN GENERAL.—Each State loan fund shall
19 be established, maintained, and credited with repay-
20 ments and interest, and the fund corpus shall be
21 available in perpetuity in accordance with this sec-
22 tion.

23 (2) INVESTMENT AUTHORIZED.—To the extent
24 amounts in the State loan fund of a State are not
25 required for current obligation or expenditure, the

1 amounts shall be invested in interest bearing obliga-
2 tions.

3 (e) STATE CONTRIBUTIONS.—Each capitalization
4 agreement entered into under subsection (a)(1) shall re-
5 quire that the State deposit in the State loan fund from
6 State funds an amount equal to not less than 20 percent
7 of the total amount of the block grant to be made to the
8 State on or before the date on which the block grant pay-
9 ment is made to the State.

10 (f) ADMINISTRATION OF STATE LOAN FUND.—

11 (1) IN GENERAL.—Each State annually may
12 use not greater than 4 percent of the funds allotted
13 to the State under this section to cover the reason-
14 able costs of administration of the programs under
15 this section, including the recovery of reasonable
16 costs expended to establish a State loan fund that
17 are incurred after the date of enactment of this Act.

18 (2) GUIDANCE AND REGULATIONS.—The EPA
19 Administrator shall issue guidance and promulgate
20 regulations as are necessary to carry out this sec-
21 tion, including guidance and regulations—

22 (A) to ensure that each State commits and
23 expends funds allotted to the State under this
24 section as efficiently as practicable in accord-
25 ance with this section and applicable State law;

1 (B) to prevent waste, fraud, and abuse;
2 and

3 (C) to ensure that the States receiving
4 block grants under this section use accounting,
5 audit, and fiscal procedures that conform to
6 generally accepted accounting standards.

7 (3) STATE REPORT.—Not less frequently than
8 every 2 years, each State administering a State loan
9 fund under this section shall submit to the EPA Ad-
10 ministrator a report describing the activities carried
11 out under this section, including the findings of the
12 most recent audit of the State loan fund and the en-
13 tire State allotment.

14 (4) AUDITS.—The EPA Administrator shall pe-
15 riodically audit all State loan funds established by,
16 and all other amounts allotted to, the States in ac-
17 cordance with procedures established by the Comp-
18 troller General of the United States.

19 (g) APPLICABILITY OF FEDERAL LAW.—

20 (1) IN GENERAL.—The EPA Administrator
21 shall ensure that all laborers and mechanics em-
22 ployed on projects funded directly, or assisted in
23 whole or in part, by a State loan fund established
24 by this section shall be paid wages at rates not less
25 than those prevailing on projects of a character simi-

1 lar in the locality as determined by the Secretary of
2 Labor in accordance with subchapter IV of chapter
3 31 of part A of subtitle II of title 40, United States
4 Code.

5 (2) **AUTHORITY.**—With respect to the labor
6 standards specified in paragraph (1), the Secretary
7 of Labor shall have the authority and functions set
8 forth in Reorganization Plan Numbered 14 of 1950
9 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of
10 title 40, United States Code.

11 (h) **AUTHORIZATION OF APPROPRIATIONS.**—There
12 are authorized to be appropriated to carry out this section
13 such amounts as are necessary for each of fiscal years
14 2020 through 2025.

15 **SEC. 304. GRANT PROGRAMS.**

16 (a) **WASTE MANAGEMENT INFRASTRUCTURE GRANT**
17 **PROGRAM.**—

18 (1) **IN GENERAL.**—The EPA Administrator
19 may provide grants to units of local government, In-
20 dian Tribes, and local waste management systems—

21 (A) to assist those entities in making im-
22 provements to waste management systems—

23 (i) to meet waste management stand-
24 ards established under subtitle D of the

1 Solid Waste Disposal Act (42 U.S.C. 6941
2 et seq.); and

3 (ii) to implement the strategy devel-
4 oped section 302(a); and

5 (B) to support improvements to local waste
6 management systems, including traditional and
7 innovative recycling and reuse technologies.

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

13 (b) DRINKING WATER INFRASTRUCTURE GRANTS.—

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

1 (2) PREFERENCE.—In making grants under
2 paragraph (1), the EPA Administrator shall give
3 preference to applicants that—

4 (A) seek to improve the removal of micro-
5 plastics, including microfibers, from drinking
6 water; and

7 (B) have demonstrated prior commitment
8 and success in reducing other pollution sources
9 in drinking water, such as lead and other con-
10 taminants.

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

16 (c) WASTEWATER INFRASTRUCTURE GRANTS.—

17 (1) IN GENERAL.—The EPA Administrator
18 may provide grants to units of local government (in-
19 cluding units of local government that own treat-
20 ment works (as defined in section 212 of the Federal
21 Water Pollution Control Act (33 U.S.C. 1292))) and
22 public water systems (as defined in section 1401 of
23 the Safe Drinking Water Act (42 U.S.C. 300f)), as
24 applicable, to support improvements in removing
25 plastic waste from wastewater.

1 (2) PREFERENCE.—In making grants under
2 paragraph (1), the EPA Administrator shall give
3 preference to applicants that—

4 (A) seek to improve the removal of micro-
5 plastics, including microfibers, from wastewater;
6 and

7 (B) have demonstrated prior commitment
8 and success in reducing other pollution sources
9 in wastewater, such as nutrient pollution and
10 other contaminants.

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

16 (d) TRASH-FREE WATERS GRANTS.—

17 (1) IN GENERAL.—The EPA Administrator
18 may provide grants to political subdivisions of States
19 and units of local government, Indian Tribes, and
20 nonprofit organizations—

21 (A) to support projects to reduce the quan-
22 tity of trash in bodies of water by reducing the
23 quantity of trash at the source of the trash, in-
24 cluding anti-litter initiatives;

25 (B) to enforce local trash ordinances;

1 (C) to implement the trash provisions of a
2 national pollutant discharge elimination system
3 permit issued to a municipal separate storm
4 sewer system under section 402 of the Federal
5 Water Pollution Control Act (33 U.S.C. 1342);

6 (D) to capture trash at stormwater inlets,
7 stormwater outfalls, or in bodies of water;

8 (E) to provide education and outreach
9 about trash movement and reduction; and

10 (F) to monitor or model flows of trash, in-
11 cluding monitoring or modeling a reduction in
12 trash as a result of the implementation of best
13 management practices for the reduction of
14 trash in sources of drinking water.

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

20 (e) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—Subject to paragraph (2),
22 there are authorized to be appropriated such sums
23 as are necessary to carry out this section.

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

1 (A) IN GENERAL.—No funds shall be made
2 available under paragraph (1) to carry out sub-
3 sections (b) and (c) in a fiscal year if the total
4 amount made available to carry out the pro-
5 grams described in subparagraph (B) for that
6 fiscal year is less than the total amount made
7 available to carry out the programs described in
8 subparagraph (B) for fiscal year 2019.

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

11 (i) State drinking water treatment re-
12 volving loan funds established under sec-
13 tion 1452 of the Safe Drinking Water Act
14 (42 U.S.C. 300j–12);

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

20 (iii) State water pollution control re-
21 volving funds established under title VI of
22 the Federal Water Pollution Control Act
23 (33 U.S.C. 1381 et seq.).

1 **SEC. 305. STUDY ON REPURPOSING PLASTIC WASTE IN IN-**
2 **FRAS**TRUCTURE.

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

9 (1) conduct a study of the feasibility and advis-
10 ability of innovative uses of plastic waste in road-
11 ways, bridges, and other infrastructure; and

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

13 (A) identify international examples of—

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

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

18 (B) assess the economic benefits, if any,
19 including employment opportunities, to munici-
20 palities and States in investing in innovative
21 reuse of plastic waste in infrastructure; and

22 (C) if the National Academies consider
23 uses described in that paragraph to be advis-
24 able, make recommendations with respect to
25 what Federal testing standards and other bar-
26 riers may need to be addressed to enable those

1 uses, including with respect to ensuring human
2 health and safety.

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

7 (c) GRANT PROGRAM.—

8 (1) IN GENERAL.—If the National Academies
9 consider the innovative uses of plastic waste de-
10 scribed in subsection (a)(1) to be advisable, and the
11 Secretary agrees, the Secretary shall establish a
12 grant program to encourage those uses.

13 (2) DEMONSTRATION PROJECTS.—If the Sec-
14 retary establishes a grant program under paragraph
15 (1), the Secretary shall carry out the grant program
16 by selecting, through a competitive process, not more
17 than 5 projects to demonstrate the uses described in
18 subsection (a)(1), each of which shall be located in
19 a different region of the United States.

20 (3) REPORT.—Not later than 180 days after
21 the date on which the last demonstration project, if
22 any, is completed under paragraph (2), the Sec-
23 retary shall submit to Congress a report summa-
24 rizing the results of the demonstration projects, in-
25 cluding—

1 (A) the total quantity of plastic waste redi-
2 rected from the waste stream into infrastruc-
3 ture;

4 (B) the durability of the infrastructure
5 constructed with plastic waste; and

6 (C) any cost savings achieved through the
7 use of plastic waste in the demonstration
8 projects.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as are nec-
11 essary to carry out this section.

12 **SEC. 306. STUDY ON OPTIONS TO ADVANCE TECHNOLOGIES**
13 **FOR CONVERTING PLASTIC WASTE TO**
14 **CHEMICALS, FEEDSTOCKS, AND OTHER**
15 **PRODUCTS.**

16 (a) IN GENERAL.—The EPA Administrator shall
17 seek to enter into an arrangement with the National Acad-
18 emies of Sciences, Engineering, and Medicine under which
19 the National Academies will conduct a study on options
20 to advance technologies (including pyrolysis,
21 hydrolysis, methanolysis, gasification, and enzymatic
22 breakdown) for converting plastic waste to useful prod-
23 ucts, such as chemicals, feedstocks, fuels, and energy.

1 (b) INCLUSIONS.—As part of the study under sub-
2 section (a), the National Academies shall conduct an eval-
3 uation of—

4 (1) the air emissions associated with tech-
5 nologies described in that subsection; and

6 (2) an evaluation of the ability of those tech-
7 nologies to become cost-competitive with other op-
8 tions for obtaining source materials or producing en-
9 ergy.

10 (c) REPORT REQUIRED.—Not later than 2 years
11 after the date of the enactment of this Act, the EPA Ad-
12 ministrator shall submit to Congress a report on the study
13 conducted under subsection (a).

14 **SEC. 307. STUDY ON EFFECTS OF MICROPLASTICS IN FOOD**
15 **SUPPLIES AND SOURCES OF DRINKING**
16 **WATER.**

17 (a) IN GENERAL.—The EPA Administrator, in con-
18 sultation with the Under Secretary, shall seek to enter into
19 an arrangement with the National Academies of Sciences,
20 Engineering, and Medicine under which the National
21 Academies will conduct a human health and environmental
22 risk assessment on microplastics, including microfibers, in
23 food supplies and sources of drinking water.

24 (b) REPORT REQUIRED.—Not later than 2 years
25 after the date of the enactment of this Act, the EPA Ad-

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

3 (1) a science-based definition of “microplastics”
4 that can be adopted in federally supported moni-
5 toring and future assessments supported or con-
6 ducted by a Federal agency;

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

10 (3)(A) an assessment of whether microplastics
11 are currently present in the food supplies and
12 sources of drinking water of United States con-
13 sumers; and

14 (B) if the assessment under subparagraph (A)
15 is positive—

16 (i) the extent to which microplastics are
17 present in the food supplies and sources of
18 drinking water; and

19 (ii) an assessment of the type, source,
20 prevalence, and risk of microplastics in the food
21 supplies and sources of drinking water;

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

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

3 (B) a review of the best available science
4 to determine any potential hazards of micro-
5 plastics in the food supplies and sources of
6 drinking water of United States consumers; and

7 (5) a measurement of—

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

10 (B) the quantity described in subpara-
11 graph (A) that would be available for human
12 exposure through food supplies or sources of
13 drinking water.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated such sums as are nec-
16 essary to carry out this section.

17 **SEC. 308. REPORT ON ELIMINATING BARRIERS TO IN-**
18 **CREASE THE COLLECTION OF RECYCLABLE**
19 **MATERIALS.**

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

23 (1) the economic, technological, resource avail-
24 ability, or other barriers to increasing the collection
25 of recyclable materials; and

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

3 **SEC. 309. REPORT ON ECONOMIC INCENTIVES TO SPUR DE-**
4 **VELOPMENT OF NEW END-USE MARKETS FOR**
5 **RECYCLED PLASTICS.**

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

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