

Calendar No. 40

119TH CONGRESS
1ST SESSION

S. 216

[Report No. 119–12]

To amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2025

Mr. SULLIVAN (for himself and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

APRIL 8, 2025

Reported by Mr. CRUZ, without amendment

A BILL

To amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

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

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

7 (a) IN GENERAL.—The Marine Debris Act (Public
8 Law 109–449) is amended—

9 (1) by inserting before section 3 the following:

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

12 (2) by redesignating sections 3 through 6 as
13 sections 101 through 104, respectively.

14 (b) GRANTS, COOPERATIVE AGREEMENTS, CON-
15 TRACTS, AND OTHER AGREEMENTS.—Section 101(d) of
16 the Marine Debris Act (33 U.S.C. 1952(d)), as redesign-
17 nated by this Act, is amended—

18 (1) in the subsection heading by striking “AND
19 CONTRACTS” and inserting “CONTRACTS, AND
20 OTHER AGREEMENTS”;

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

24 (3) in paragraph (2)—

25 (A) in subparagraph (B)—

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

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

5 (B) in subparagraph (C) in the matter pre-
 6 ceding clause (i) by inserting “and except as
 7 provided in subparagraph (B)” after “subpara-
 8 graph (A)”; and

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

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

20 **SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS FOUNDA-**
 21 **TION.**

22 (a) IN GENERAL.—Subtitle B of title I of the Save
 23 Our Seas 2.0 Act (Public Law 116–224) is transferred
 24 to appear after section 104 of the Marine Debris Act
 25 (Public Law 109–449), as redesignated by this Act.

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

5 (c) PURPOSES.—Section 111(b) of the Marine Debris
 6 Act (Public Law 109–449), as transferred and redesign-
 7 nated by this Act, is amended—

8 (1) in paragraph (3) by inserting “Indian
 9 Tribes,” after “Tribal governments,”; and

10 (2) in paragraph (4) by striking “title II” and
 11 inserting “subtitle C”.

12 (d) BOARD OF DIRECTORS.—

13 (1) APPOINTMENT, VACANCIES, AND RE-
 14 MOVAL.—Section 112(b) of the Marine Debris Act
 15 (Public Law 109–449), as transferred by this Act,
 16 is amended—

17 (A) by redesignating paragraphs (1)
 18 through (5) as paragraphs (2) through (6) re-
 19 spectively;

20 (B) by inserting before paragraph (2), as
 21 redesignated, the following:

22 “(1) RECOMMENDATIONS OF BOARD REGARD-
 23 ING APPOINTMENTS.—For appointments made
 24 under paragraph (2), the Board shall submit to the

1 Under Secretary recommendations on candidates for
2 appointment.”;

3 (C) in paragraph (2), as redesignated, in
4 the matter preceding subparagraph (A)—

5 (i) by striking “and considering” and
6 inserting “considering”; and

7 (ii) by inserting “and with the ap-
8 proval of the Secretary of Commerce,”
9 after “by the Board,”;

10 (D) by amending paragraph (3), as red-
11 igned, to read as follows:

12 “(3) TERMS.—Any Director appointed under
13 paragraph (2) shall be appointed for a term of 6
14 years.”;

15 (E) in paragraph (4)(A), as redesignated,
16 by inserting “with the approval of the Secretary
17 of Commerce” after “the Board”; and

18 (F) in paragraph (6), as redesignated—

19 (i) by inserting “the Administrator of
20 the United States Agency for International
21 Development,” after “Service,”; and

22 (ii) by inserting “and with the ap-
23 proval of the Secretary of Commerce” after
24 “EPA Administrator”.

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

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

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

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

14 “(h) CHIEF EXECUTIVE OFFICER.—

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

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

23 (e) POWERS OF FOUNDATION.—Section 113(c)(1) of
 24 the Marine Debris Act (Public Law 109–449), as trans-

ferred by this Act, is amended in the matter preceding
subparagraph (A)—

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

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

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

“(g) PRINCIPAL OFFICE.—The Board shall locate the
principal office of the Foundation in the National Capital
Region, as such term is defined in section 2674(f)(2) of
title 10, United States Code, or a coastal shoreline com-
munity.”.

(g) BEST PRACTICES; RULE OF CONSTRUCTION.—
Section 113 of the Marine Debris Act (Public Law 109–
449), as transferred by this Act and amended by sub-
section (e), is further amended by adding at the end the
following:

“(h) BEST PRACTICES.—

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

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

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

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

6 “(i) RULE OF CONSTRUCTION.—Nothing in this Act
7 may be construed—

8 “(1) to satisfy any requirement for government-
9 to-government consultation with Tribal Govern-
10 ments; or

11 “(2) to affect or modify any treaty or other
12 right of any Tribal Government.”.

13 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
14 118(a) of the Marine Debris Act (Public Law 109–449),
15 as transferred by this Act, is amended—

16 (1) in paragraph (1), by inserting “and
17 \$2,000,000 for fiscal year 2025” after “through
18 2024”; and

19 (2) in paragraph (2), by striking “and State
20 and local government agencies” and inserting “,
21 State and local government agencies, regional orga-
22 nizations, Indian Tribes, Tribal organizations, and
23 foreign governments”.

24 (i) REAUTHORIZATION.—Section 9(a) of the Marine
25 Debris Act (Public Law 109–449) is amended by striking

1 “for” the first place it appears and all that follows through
 2 “carrying out” and inserting “for each of fiscal years
 3 2018 through 2029 for carrying out”.

4 **SEC. 4. TRANSFERS.**

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

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

12 (1) by transferring sections 7, 8, 9 (as amend-
 13 ed), and 10 to appear after section 127, as trans-
 14 ferred by this Act, and redesignated as sections 131,
 15 132, 133, and 134, respectively; and

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

18 **“Subtitle D—Administration”.**

19 **SEC. 5. DEFINITIONS.**

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

23 (1) by striking paragraph (1);

1 (2) by redesignating paragraphs (2), (3), (4),
2 (5), (6), and (7) as paragraphs (5), (6), (7), (11),
3 (12), and (13), respectively;

4 (3) by inserting before paragraph (5), as so re-
5 designated, the following:

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

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

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

18 “(4) INDIAN TRIBE.—The term ‘Indian Tribe’
19 has the meaning given that term in section 4 of the
20 Indian Self-Determination and Education Assistance
21 Act (25 U.S.C. 5304).”;

22 (4) by inserting before paragraph (11), as so
23 redesignated, the following:

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

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

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

8 (5) by inserting after paragraph (13), as so re-
9 designated, the following:

10 “(14) TRIBAL GOVERNMENT.—The term ‘Tribal
11 Government’ means the recognized governing body
12 of any Indian or Alaska Native Tribe, band, nation,
13 pueblo, village, community, component band, or com-
14 ponent reservation, individually identified (including
15 parenthetically) in the list published most recently as
16 of the date of the enactment of the Save Our Seas
17 2.0 Amendments Act pursuant to section 104 of the
18 Federally Recognized Indian Tribe List Act of 1994
19 (25 U.S.C. 5131).

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

24 “(16) UNDER SECRETARY.—The term ‘Under
25 Secretary’ has the meaning given such term in sec-

1 tion 2 of the Save Our Seas 2.0 Act (Public Law
2 116–224).”; and

3 (6) in paragraph (13), as so redesignated—

4 (A) by redesignating subparagraphs (B),
5 (C), and (D) as subparagraphs (C), (D), and
6 (E); and

7 (B) by inserting after subparagraph (A)
8 the following:

9 “(B) Indian Tribe;”.

10 (b) TRANSFER.—

11 (1) IN GENERAL.—Section 2(7) of the Save Our
12 Seas 2.0 Act (Public Law 116–224) is transferred to
13 section 131 of the Marine Debris Act (Public Law
14 109–449), inserted after paragraph (7) (as redesign-
15 nated), and redesignated as paragraph (8).

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

20 (c) NON-FEDERAL FUNDS.—Paragraph (8)(D) of
21 section 131 of the Marine Debris Act (Public Law 109–
22 449), as transferred and redesignated by this Act, is
23 amended by striking “(as defined in section 4 of the In-
24 dian Self-Determination and Education Assistance Act
25 (25 U.S.C. 5304))”.

1 **SEC. 6. CONFORMING AMENDMENTS.**

2 (a) IN GENERAL.—Sections 1 and 2 of the Marine
3 Debris Act, sections 101, 102, and 104 of the Marine De-
4bris Act, as redesignated by this Act, and section 133 of
5 the Marine Debris Act, as transferred and so redesignated
6 by this Act, are amended by striking “Administrator” and
7 inserting “Under Secretary”.

8 (b) SECTION 103.—Section 103 of the Marine Debris
9 Act is amended by—

10 (1) striking “Administrator of the National
11 Oceanic and Atmospheric Administration” and in-
12serting “Under Secretary”;

13 (2) striking “Administrator of the Environ-
14mental Protection Agency” and inserting “EPA Ad-
15ministrator”; and

16 (3) in subsection (e)(3) by striking “section 3”
17and inserting “section 101”.

18 (c) SECTION 123.—Section 123 of the Marine Debris
19 Act, as transferred and so redesignated by this Act, is
20 amended by striking “title I” and inserting “subtitle B”.

21 (d) SECTION 133.—Section 133 of the Marine Debris
22 Act, as transferred and so redesignated by this Act, is
23 amended by striking “sections 3, 5, and 6” and inserting
24 “sections 101, 103, and 104”.

25 (e) SECTION 134.—Section 134 of the Marine Debris
26 Act, as transferred and so redesignated by this Act, is

1 amended by striking “Administrator of the Environmental
2 Protection Agency” and inserting “EPA Administrator”.

3 (f) TRIBAL GOVERNMENT.—Subtitle A of the Marine
4 Debris Act, as designated in this Act, is amended by strik-
5 ing “tribal government” and inserting “Tribal Govern-
6 ment”.

Calendar No. 40

119TH CONGRESS
1ST Session

S. 216

[Report No. 119-12]

A BILL

To amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

APRIL 8, 2025

Reported without amendment