

Calendar No. 40

119TH CONGRESS }
1st Session

SENATE

{ REPORT
119–12

SAVE OUR SEAS 2.0 AMENDMENTS ACT

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 216



APRIL 8, 2025.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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SAVE OUR SEAS 2.0 AMENDMENTS ACT

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Mr. CRUZ, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 216]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 216) 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, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 216, the Save our Seas 2.0 Amendments Act, is to improve the administration of the Marine Debris Foundation (Foundation) and the Marine Debris Program within the National Oceanic and Atmospheric Administration (NOAA).

BACKGROUND AND NEEDS

Marine debris is persistent, solid trash in the ocean or the Great Lakes.¹ Small pieces of marine debris, like litter that originates on land, can be flushed into the ocean via storm drains, rivers, and streams, often due to heavy rainfall or high tide. More extreme weather events, like hurricanes, tsunamis, or floods, might deposit

¹“NOAA Marine Debris Program,” National Oceanic and Atmospheric Administration (<https://marinedebris.noaa.gov/>).

larger pieces of refuse into the ocean.² Marine debris can also come from fishing vessels (including lost fishing gear), cargo ships, or oil and gas platforms, and abandoned vessels can become marine debris. In addition to being an eyesore, marine debris can pose a hazard to navigation if it becomes entangled in propulsion systems or intakes; endanger human health, especially in the case of medical waste; be ingested by, or entangle, marine animals; and in the case of derelict fishing gear, can continue to net, hook, or trap animals—sometimes called “ghost fishing.”³

MARINE DEBRIS RESEARCH, PREVENTION, AND REDUCTION ACT

The Marine Debris Research, Prevention, and Reduction Act (MDRPRA)⁴ was enacted in December 2006. The MDRPRA established a Marine Debris Prevention and Removal Program (Program) within NOAA to reduce and prevent the occurrence and adverse impacts of marine debris on the marine environment and navigation safety. The MDRPRA directs the Administrator of NOAA (Administrator), through the Program, to conduct the following activities: mapping, identification, impact assessment, removal, and prevention of marine debris; reducing and preventing loss of fishing gear; and outreach and education to the public and stakeholders. The MDRPRA provides guidelines for the Administrator to enter into cooperative agreements and contracts and provide financial assistance through grants for projects that help assess, reduce, and prevent marine debris and adverse impacts of debris. The MDRPRA amended the Marine Plastic Pollution Research and Control Act of 1987⁵ to establish an Interagency Marine Debris Coordinating Committee (Interagency Committee) to coordinate a comprehensive program of marine debris research and activities among Federal agencies, in cooperation with nongovernmental organizations, industry, universities, States, Indian Tribes, and other nations. The MDRPRA also directs the Commandant of the U.S. Coast Guard, in consultation with the Interagency Committee, to increase compliance with the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex V⁶ and the Act to Prevent Pollution from Ships.⁷ Specific compliance activities include improving waste management onboard vessels and at ports, monitoring and enforcing compliance, coordinating with industry to improve waste management, and improving international cooperation. The MDRPRA directs the Administrator, in coordination with the Interagency Committee, to maintain a Federal information clearinghouse on marine debris. The MDRPRA authorized appropriations from fiscal years 2006 through 2010 at \$10 million for the Marine Debris Program and \$2 million to the Coast Guard Commandant to improve MARPOL implementation.⁸

²“What Is Marine Debris?,” National Oceanic and Atmospheric Administration (<https://oceanservice.noaa.gov/education/tutorial-coastal/marine-debris/md01.html>).

³Ibid.

⁴Public Law 109–449, 120 Stat. 3333 (2006).

⁵33 U.S.C. 1914 (2018).

⁶“International Convention for the Prevention of Pollution from Ships (MARPOL),” International Maritime Organization ([https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-\(MARPOL\).aspx](https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx)).

⁷33 U.S.C. 1901 et seq. (2008).

⁸Marine Debris Research, Prevention, and Reduction Act (Pub. L. 109–449, 120 Stat. 3333 (2006)).

NOAA MARINE DEBRIS PROGRAM

NOAA's Marine Debris Program is part of the Office of Response and Restoration within the National Ocean Service. The program seeks to coordinate, strengthen, and increase the visibility of marine debris issues and efforts within NOAA, other agencies and partners, and the public. The program is undertaking a national and international effort focused on identifying, reducing, and preventing debris in the marine environment. To achieve its goals, the program works closely with various partners across the United States. Projects supported by the Marine Debris Program have included marine debris reduction initiatives at Texas A&M University and the University of Texas at Austin, aerial surveys of marine debris in Alaska, removal of derelict fishing gear from Flower Garden Banks National Marine Sanctuary off the coast of Texas, removal of abandoned vessels and structures from Olympic Coast National Marine Sanctuary in the State of Washington through partnership with the Makah and Quileute Tribes, research at the University of Delaware on factors that impact debris movement and transport through the Delaware River and Bay and into coastal waters, high seas marine debris monitoring, and online outreach and education programs. The NOAA Program also sponsors the International Coastal Cleanup, the largest marine debris and litter cleanup event in the world.⁹

SUMMARY OF PROVISIONS

S. 216 would do the following:

- Require the Marine Debris Foundation's Governing Board of Directors to appoint a chief executive officer (CEO).
- Allow the Marine Debris Foundation to receive additional funding from governmental and non-governmental entities.
- Permit in-kind contributions from NOAA.
- Allow the Administrator to receive funds and use resources from governmental and non-governmental entities and individuals.

LEGISLATIVE HISTORY

S. 216, the Save our Seas 2.0 Amendments Act, was introduced on January 23, 2025, by Senator Sullivan (for himself and Senator Whitehouse) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. On February 5, 2025, the Committee met in open Executive Session and, by voice vote, ordered S. 216 reported favorably without amendment.

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S. 5649, the Save Our Seas 2.0 Amendments Act, was introduced on December 21, 2024, by Senator Sullivan (for himself and Senator Whitehouse) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. On December 23, 2024, that bill passed the Senate without amendment by unanimous consent.

⁹Ocean Conservancy, *30th Anniversary International Coastal Cleanup: 2016 Report*, 2016 (<https://oceanconservancy.org/wp-content/uploads/2017/04/2016-Ocean-Conservancy-ICC-Report.pdf>).

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S. 4321, the Save Our Seas 2.0 Amendments Act, was introduced on May 26, 2022, by Senator Sullivan (for himself and Senators Whitehouse and Menendez) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. Senator Peters was later added as a cosponsor. On June 22, 2022, the Committee met in open Executive Session, and by voice vote, ordered S. 4321 reported favorably with an amendment. On December 22, 2022, that bill passed the Senate with an amendment by unanimous consent.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

S. 216, Save Our Seas 2.0 Amendments Act			
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on February 5, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	14	77	77
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

S. 216 would authorize annual appropriations for the Marine Debris Program within the National Oceanic and Atmospheric Administration (NOAA) and would authorize a single-year appropriation for the Marine Debris Foundation. The bill would allow the foundation to match contributions from foreign governments and from tribal and regional organizations. Both the program and the foundation support efforts to remove plastics, discarded fishing gear, and other harmful materials from the marine environment.

CBO assumes that the bill will be enacted in 2025 and that the authorized amounts will be provided in each year. On that basis, and using historical spending patterns, CBO estimates that implementing the bill would cost \$77 million over the 2025–2030 period. The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

Marine Debris Program: S. 216 would reauthorize the appropriation of \$15 million annually from 2025 through 2029 for NOAA to operate the Marine Debris Program. In 2024, NOAA allocated \$36

million for the program. CBO estimates that implementing this provision would cost \$75 million over the 2025–2030 period.

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER S. 216

	By fiscal year, millions of dollars—						
	2025	2026	2027	2028	2029	2030	2025–2030
Marine Debris Program:							
Authorization	15	15	15	15	15	0	75
Estimated Outlays	13	15	15	15	15	2	75
Marine Debris Foundation:							
Authorization	2	0	0	0	0	0	2
Estimated Outlays	1	1	0	0	0	0	2
Total Increases:							
Authorization	17	15	15	15	15	0	77
Estimated Outlays	14	16	15	15	15	2	77

Marine Debris Foundation: The bill would authorize the appropriation of \$2 million in 2025 for the Marine Debris Foundation to match external contributions. An appropriation of \$10 million a year was authorized for the foundation to match contributions from private individuals or from state and local governments but that authorization expired at the end of 2024; the Congress has not appropriated any funds for the foundation to date. The bill would allow the foundation to match contributions from foreign governments, tribal governments and organizations, and other regional organizations. CBO estimates that implementing this provision would cost \$2 million over the 2025–2030 period.

The foundation is authorized to invest appropriated funds in Treasury securities and to spend any credited interest without further appropriation. The collection and spending of contributions as well as the spending of credited interest are classified in the budget as direct spending. CBO estimates that the net effect on direct spending from the additional contributions to the foundation would be insignificant over the 2025–2035 period because those collections would be spent quickly. CBO also expects that the spending of any interest credited to the foundation would be insignificant.

The CBO staff contact for this estimate is Aurora Swanson. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

REGULATORY IMPACT STATEMENT

Because S. 216 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions

contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section would provide that the bill may be cited as the “Save our Seas 2.0 Amendments Act”.

Section 2. Modifications to the Marine Debris Program of the National Oceanic and Atmospheric Administration

This section would expand the types of agreements the Marine Debris Program can enter to include other agreements beyond contracts, grant agreements, and cooperative agreements. It would also allow NOAA to contribute on an in-kind basis rather than a funding basis for the Federal Government’s share of the cost of a project.

Section 3. Modifications to the Marine Debris Foundation

This section would make technical corrections to ensure the Marine Debris Foundation language in the original SOS 2.0¹⁰ text is internally consistent and that consultations about the Foundation include all key government agencies. Additionally, it would designate the first officer of the Foundation as the chief executive officer, clarify the Board’s authority to appoint and remove the CEO and define the CEO’s role in managing other officers or employees.

The section would also change the Foundation’s designation from a nonprofit organization to a nonprofit corporation for consistency throughout SOS 2.0. It would establish a 6-year term limit for appointed Board Directors, require Board member selection to have the approval of the Secretary of Commerce, and clarify the Board’s ability to appoint and remove the CEO. Furthermore, it would affirm the CEO’s authority to appoint, review, and remove other officers and employees. It would require the Foundation’s principal office to be in the National Capital Region or a coastal shoreline community. Additionally, the Foundation would be directed to develop and implement best practices for outreach to Indian Tribes.

This section would authorize an appropriation of \$2 million for the Marine Debris Foundation for fiscal year 2025 and clarify that the Foundation could match contributions from regional organizations, Indian Tribes, Tribal organizations, and foreign governments. It would also reauthorize \$10 million for the Marine Debris Program for each fiscal year from 2018 through 2029.

Section 4. Transfers

This section would reorganize subtitle C of title I of the Save Our Seas 2.0 Act¹¹ for better organization within section 119 of the original Marine Debris Act.¹²

Section 5. Definitions

This section would add definitions for the terms “circular economy”, “coastal shoreline community”, “EPA Administrator”, “Indian

¹⁰ Public Law 116–224.

¹¹ Ibid.

¹² Public Law 109–449.

Tribe”, “nonprofit organization”, “post-consumer materials management”, “Tribal Government”, “Tribal organization”, and “Under Secretary”.

Section 6. Conforming amendments

This section would make the terms “Under Secretary”, “EPA Administrator”, and “Tribal Government”, along with section headings, consistent between the Save Our Seas 2.0 Act and the Marine Debris Act.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

THE MARINE DEBRIS ACT

[Public Law 109–449]

* * * * *

SECTION 1. SHORT TITLE.

This Act may be cited as the “Marine Debris Act”.

SEC. 2. PURPOSE.

The purpose of this Act is to address the adverse impacts of marine debris on the United States economy, the marine environment (including waters in the jurisdiction of the United States, the high seas, and waters in the jurisdiction of other countries), and navigation safety through the identification, determination of sources, assessment, prevention, reduction, and removal of marine debris.

Subtitle A—NOAA And Coast Guard Programs

SEC. [3.] 101. NOAA MARINE DEBRIS PROGRAM.

(a) * * *

(b) PROGRAM COMPONENTS.—The **Administrator** *Under Secretary*, acting through the Program and subject to the availability of appropriations, shall—

(1) * * *

(2) * * *

(3) * * *

(4) * * *

(5) develop, in consultation with the Interagency Committee, interagency plans for the timely response to events determined by the **Administrator** *Under Secretary* to be severe marine debris events, including plans to—

(A) * * *

(B) * * *

(C) * * *

(6) * * *

(7) * * *

(8) in the case of an event determined to be a severe marine debris event under subsection (c)—

(A) assist in the cleanup and response required by the severe marine debris event; or

(B) conduct such other activity as the [Administrator] *Under Secretary* determines is appropriate in response to the severe marine debris event.

(c) SEVERE MARINE DEBRIS EVENTS.—At the discretion of the [Administrator] *Under Secretary* or at the request of the Governor of an affected State, the [Administrator] *Under Secretary* shall determine whether there is a severe marine debris event.

(d) GRANTS, COOPERATIVE AGREEMENTS, [AND CONTRACTS] *CONTRACTS, AND OTHER AGREEMENTS*.—

(1) IN GENERAL.—The [Administrator] *Under Secretary*, acting through the Program, shall enter into cooperative agreements [and contracts], *contracts, and other agreements* and provide financial assistance in the form of grants for projects to accomplish the purpose set forth in section 2(1).

(2) GRANT COST SHARING REQUIREMENT.—

(A) * * *

(B) WAIVER.—The [Administrator] *Under Secretary* may waive all or [part of the] *part of a* matching requirement under subparagraph (A) or (C) if the [Administrator] *Under Secretary* determines that no reasonable means are available through which applicants can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

(C) SEVERE MARINE DEBRIS EVENTS.—Notwithstanding subparagraph (A) *and except as provided in subparagraph (B)*, the Federal share of the cost of an activity carried out under a determination made under subsection (c) shall be—

(i) * * *

(ii) * * *

(3) AMOUNTS PAID AND SERVICES RENDERED UNDER CONSENT.—

(A) CONSENT DECREES AND ORDERS.—If authorized by the [Administrator] *Under Secretary* or the Attorney General, as appropriate, the non-Federal share of the cost of a project carried out under this Act may include money paid pursuant to, or the value of any in-kind service performed under, an administrative order on consent or judicial consent decree that will remove or prevent marine debris.

(B) * * *

(4) ELIGIBILITY.—Any State, local, or [tribal government] *Tribal Government* whose activities affect research or regulation of marine debris, and any institution of higher education, nonprofit organization, or commercial organization with expertise in a field related to marine debris, is eligible to submit to the [Administrator] *Under Secretary* a marine debris proposal under the grant program.

(5) PROJECT REVIEW AND APPROVAL.—The [Administrator] *Under Secretary* shall—

(A) * * *

(B) * * *

(C) * * *

(6) PROJECT REPORTING.—Each grantee under this section shall provide periodic reports as required by the [Administrator] *Under Secretary*. Each report shall include all information required by the [Administrator] *Under Secretary* for evaluating the progress and success in meeting its stated goals, and impact of the grant activities on the marine debris problem.

(7) IN-KIND CONTRIBUTIONS.—*With respect to any project carried out pursuant to a contract or other agreement entered into under paragraph (1) that is not a cooperative agreement or an agreement to provide financial assistance in the form of a grant, the Under Secretary may contribute on an in-kind basis the portion of the costs of the project that the Under Secretary determines represents the amount of benefit the National Oceanic and Atmospheric Administration derives from the project.*

SEC. [4.] 102. COAST GUARD PROGRAM.

The Commandant of the Coast Guard, in consultation with the Interagency Committee, shall—

(1) * * *

(2) * * *

(3) * * *

(4) * * *

(5) * * *

(6) * * *

SEC. [5.] 103. COORDINATION.

(a) * * *

(b) * * *

(c) * * *

(d) MONITORING.—Secretary of Commerce, acting through the [Administrator of the National Oceanic and Atmospheric Administration] *Under Secretary*, in cooperation with the [Administrator of the Environmental Protection Agency] *EPA Administrator*, shall utilize the marine debris data derived under title V of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 2801 et seq.) to assist—

(1) * * *

(2) * * *

(e) BIENNIAL PROGRESS REPORTS.—Biennially, the Committee, through the Chairperson, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives a report that evaluates United States and international progress in meeting the purpose of this Act. The report shall include—

(1) * * *

(2) * * *

(3) a review of the National Oceanic and Atmospheric Administration program authorized by [section 3] *section 101*, including projects funded and accomplishments relating to reduction and prevention of marine debris;

(4) * * *

(5) * * *

SEC. [6.] 104. FEDERAL INFORMATION CLEARINGHOUSE.

The **[Administrator]** *Under Secretary*, in coordination with the Interagency Committee, shall—

(1) * * *

(2) take the necessary steps to ensure the confidentiality of such information (especially proprietary information), for any information required by the **[Administrator]** *Under Secretary* to be submitted under this section.

[The following text of subtitle B was transferred from subtitle B of title I of the Save Our Seas 2.0 Act (Public Law 116–224), which includes sections 111–119, and was transferred to appear after section 104 of the Marine Debris Act (Public Law 109–449), as redesignated by this Act.]

Subtitle B—Marine Debris Foundation

SEC. 111. ESTABLISHMENT AND PURPOSES OF FOUNDATION.

(a) **ESTABLISHMENT.**—There is established the Marine Debris Foundation (in this title referred to as the “Foundation”). The Foundation is a charitable and nonprofit **[organization]** *corporation* and is not an agency or establishment of the United States.

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

(1) to encourage, accept, and administer private gifts of property for the benefit of, or in connection with, the activities and services of the National Oceanic and Atmospheric Administration under the Marine Debris Program established under section 3 of the Marine Debris Act (33 U.S.C. 1952), and other relevant programs and agencies;

(2) to undertake and conduct such other activities as will augment efforts of the National Oceanic and Atmospheric Administration to assess, prevent, reduce, and remove marine debris and address the adverse impacts of marine debris on the economy of the United States, the marine environment, and navigation safety;

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

(4) subject to an agreement with the Secretary of Commerce, administer the Genius Prize for Save Our Seas Innovation as described in **[title II]** *subtitle C*; and

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

SEC. 112. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) **ESTABLISHMENT AND MEMBERSHIP.**—

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

(2) **REPRESENTATION OF DIVERSE POINTS OF VIEW.**—To the maximum extent practicable, the membership of the Board

shall represent diverse points of view relating to the assessment, prevention, reduction, and removal of marine debris.

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

(b) APPOINTMENT AND TERMS.—

(1) *RECOMMENDATIONS OF BOARD REGARDING APPOINTMENTS.*—*For appointments made under paragraph (2), the Board shall submit to the Under Secretary recommendations on candidates for appointment.*

[(1)] (2) APPOINTMENT.—Subject to paragraph (2), after consulting with the EPA Administrator, the Director of the United States Fish and Wildlife Service, the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, and the Administrator of the United States Agency for International Development, [and considering] *considering* the recommendations submitted by the Board, *and with the approval of the Secretary of Commerce*, the Under Secretary shall appoint 12 Directors who meet the criteria established by subsection (a), of whom—

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

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

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

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

[(2)] (3) TERMS.—*Any Director appointed under paragraph (2) shall be appointed for a term of 6 years.*

(A) IN GENERAL.—Any Director appointed after the initial appointments are made under subparagraph (B) (other than the Under Secretary), shall be appointed for a term of 6 years.

(B) INITIAL APPOINTMENTS TO NEW MEMBER POSITIONS.—Of the Directors appointed by the Under Secretary under paragraph (1), the Under Secretary shall appoint, not later than 180 days after the date of the enactment of this Act—

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

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

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

[(3)] (4) VACANCIES.—

(A) IN GENERAL.—The Under Secretary shall fill a vacancy on the Board *with the approval of the Secretary of Commerce*.

(B) TERM OF APPOINTMENTS TO FILL UNEXPIRED TERMS.—An individual appointed to fill a vacancy that occurs before the expiration of the term of a Director shall be appointed for the remainder of the term.

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

[(5)] (6) CONSULTATION BEFORE REMOVAL.—The Under Secretary may remove a Director from the Board only after consultation with the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, the Director of the United States Fish and Wildlife Service, *the Administrator of the United States Agency for International Development*, and the EPA Administrator *and with the approval of the Secretary of Commerce*.

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

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

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

(f) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Foundation.

(g) GENERAL POWERS.—

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

(A) appointing [officers and employees] *the initial officers and employees*;

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

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

(2) LIMITATIONS ON APPOINTMENT.—The following limitations apply with respect to the appointment of officers and employees of the Foundation:

(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers and employees of the Foundation shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

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

(i) shall serve, at the direction of the Board, as [its chief operating officer] *the chief executive officer of the Foundation*; and

(ii) shall be knowledgeable and experienced in matters relating to the assessment, prevention, reduction, and removal of marine debris.

(h) CHIEF EXECUTIVE OFFICER.—

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

(2) *POWERS.*—*The chief executive officer of the Foundation may appoint, remove, and review the performance of any officer or employee of the Foundation.*

SEC. 113. RIGHTS AND OBLIGATIONS OF THE FOUNDATION.

(a) **IN GENERAL.**—The Foundation—

(1) shall have perpetual succession;

(2) may conduct business throughout the several States, territories, and possessions of the United States and abroad; and

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

(b) **SERVICE OF PROCESS.**—The serving of notice to, or service of process upon, the agent required under subsection (a)(3), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(c) **POWERS.**—

(1) **IN GENERAL.**—To carry out its purposes under section 111, the Foundation shall have, in addition to the powers otherwise given it under this title, the usual powers of a *nonprofit* corporation [acting as a trustee] *formed* in the District of Columbia, including the power—

(A) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein;

(B) to acquire by purchase or exchange any real or personal property or interest therein;

(C) to invest any funds provided to the Foundation by the Federal Government in obligations of the United States or in obligations or securities that are guaranteed or insured by the United States;

(D) to deposit any funds provided to the Foundation by the Federal Government into accounts that are insured by an agency or instrumentality of the United States;

(E) to make use of any interest or investment income that accrues as a consequence of actions taken under subparagraph (C) or (D) to carry out the purposes of the Foundation;

(F) to use Federal funds to make payments under cooperative agreements to provide substantial long-term benefits for the assessment, prevention, reduction, and removal of marine debris;

(G) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain or otherwise dispose of any property or income therefrom;

(H) to borrow money and issue bonds, debentures, or other debt instruments;

(I) to sue and be sued, and complain and defend itself in any court of competent jurisdiction, except that the Directors of the Foundation shall not be personally liable, except for gross negligence;

(J) to enter into contracts or other arrangements with, or provide financial assistance to, public agencies and pri-

vate organizations and persons and to make such payments as may be necessary to carry out its functions; and
(K) to do any and all acts necessary and proper to carry out the purposes of the Foundation.

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

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

(e) COORDINATION OF INTERNATIONAL EFFORTS.—Any efforts of the Foundation carried out in a foreign country, and any grants provided to an individual or entity in a foreign country, shall be made only with the concurrence of the Secretary of State, in consultation, as appropriate, with the Administrator of the United States Agency for International Development.

(f) CONSULTATION WITH NOAA.—The Foundation shall consult with the Under Secretary during the planning of any restoration or remediation action using funds resulting from judgments or settlements relating to the damage to trust resources of the National Oceanic and Atmospheric Administration.

(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 community.*

(h) BEST PRACTICES.—

(1) IN GENERAL.—*The Foundation shall develop and implement best practices for conducting outreach to Indian Tribes and Tribal Governments.*

(2) REQUIREMENTS.—*The best practices developed under paragraph (1) shall—*

(A) include a process to support technical assistance and capacity building to improve outcomes; and

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

(i) RULE OF CONSTRUCTION.—*Nothing in this Act may be construed—*

(1) to satisfy any requirement for government-to-government consultation with Tribal Governments; or

(2) to affect or modify any treaty or other right of any Tribal Government.

SEC. 114. ADMINISTRATIVE SERVICES AND SUPPORT.

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

(b) REIMBURSEMENT.—The Under Secretary shall require reimbursement from the Foundation for any administrative service pro-

vided under subsection (a). The Under Secretary shall deposit any reimbursement received under this subsection into the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such services.

SEC. 115. VOLUNTEER STATUS.

The Secretary of Commerce may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Foundation, the Board, and the officers and employees of the Board, without compensation from the Department of Commerce, as volunteers in the performance of the functions authorized in this title.

SEC. 116. REPORT REQUIREMENTS; PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) **REPORT.**—The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Energy and Commerce of the House of Representatives a report—

(1) describing the proceedings and activities of the Foundation during that fiscal year, including a full and complete statement of its receipts, expenditures, and investments; and

(2) including a detailed statement of the recipient, amount, and purpose of each grant made by the Foundation in the fiscal year.

(b) **RELIEF WITH RESPECT TO CERTAIN FOUNDATION ACTS OR FAILURE TO ACT.**—If the Foundation—

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

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

SEC. 117. UNITED STATES RELEASE FROM LIABILITY.

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

SEC. 118. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to the Department of Commerce to carry out this title \$10,000,000 for each of fiscal years 2021 through 2024 and \$2,000,000 for fiscal year 2025.

(2) **USE OF APPROPRIATED FUNDS.**—Subject to paragraph (3), amounts made available under paragraph (1) shall be provided to the Foundation to match contributions (whether in currency, services, or property) made to the Foundation, or to a recipient of a grant provided by the Foundation, by private persons [and State and local government agencies], *State and local government agencies, regional organizations, Indian Tribes, Tribal organizations, and foreign governments.*

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

(A) IN GENERAL.—Except as provided in subparagraph (B), no Federal funds made available under paragraph (1) may be used by the Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

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

(b) ADDITIONAL AUTHORIZATION.—

(1) IN GENERAL.—In addition to the amounts made available under subsection (a), the Foundation may accept Federal funds from a Federal agency under any other Federal law for use by the Foundation to further the assessment, prevention, reduction, and removal of marine debris in accordance with the requirements of this title.

(2) USE OF FUNDS ACCEPTED FROM FEDERAL AGENCIES.—Federal funds provided to the Foundation under paragraph (1) shall be used by the Foundation for matching, in whole or in part, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

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

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

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

SEC. 119. TERMINATION OF AUTHORITY.

The authority of the Foundation under this subtitle shall terminate on the date that is 10 years after the establishment of the Foundation, unless the Foundation is reauthorized by an Act of Congress.

[The following text of subtitle C was transferred from subtitle C of title I of the Save Our Seas 2.0 Act (Public Law 116–224), which includes sections 121–127, and was transferred to appear after section 119 of the Marine Debris Act (Public Law 109–449) as transferred and redesignated by this Act.]

Subtitle C—Genius Prize for Save Our Seas Innovations

SEC. 121. DEFINITIONS.

In this subtitle:

(1) PRIZE COMPETITION.—The term “prize competition” means the competition for the award of the Genius Prize for Save Our Seas Innovations established under section 122.

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

SEC. 122. GENIUS PRIZE FOR SAVE OUR SEAS INNOVATIONS.

(a) IN GENERAL.—

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

tion 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition—

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

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

(2) CATEGORIES FOR PROJECTS.—The categories for projects are:

(A) Advancements in materials used in packaging and other products that, if such products enter the coastal or ocean environment, will fully degrade without harming the environment, wildlife, or human health.

(B) Innovations in production and packaging design that reduce the use of raw materials, increase recycled content, encourage reusability and recyclability, and promote a circular economy.

(C) Improvements in marine debris detection, monitoring, and cleanup technologies and processes.

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

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

(b) DESIGNATION.—The prize competition established under subsection (a) shall be known as the “Genius Prize for Save Our Seas Innovations”.

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

(1) have a strategy, submitted with the application or proposal, to move the new technology, process, design, material, or other product supported by the prize to market-scale deployment;

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

(3) promote development of materials that—

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

(B) are to be used in fishing gear or other maritime products that have an increased likelihood of entering the coastal or ocean environment as unintentional waste.

SEC. 123. AGREEMENT WITH THE MARINE DEBRIS FOUNDATION.

(a) IN GENERAL.—The Secretary may offer to enter into an agreement, which may include a grant or cooperative agreement, under which the Marine Debris Foundation established under [title I] subtitle B may administer the prize competition.

(b) REQUIREMENTS.—An agreement entered into under subsection (a) shall comply with the following requirements:

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

(A) advertise the prize competition;

(B) solicit prize competition participants;

(C) administer funds relating to the prize competition;

(D) receive Federal and non-Federal funds—

(i) to administer the prize competition; and

- (ii) to award a cash prize;
 - (E) carry out activities to generate contributions of non-Federal funds to offset, in whole or in part—
 - (i) the administrative costs of the prize competition; and
 - (ii) the costs of a cash prize;
 - (F) in the design and award of the prize, consult, as appropriate with experts from—
 - (i) Federal agencies with jurisdiction over the prevention of marine debris or the promotion of innovative materials;
 - (ii) State agencies with jurisdiction over the prevention of marine debris or the promotion of innovative materials;
 - (iii) State, regional, or local conservation or post-consumer materials management organizations, the mission of which relates to the prevention of marine debris or the promotion of innovative materials;
 - (iv) conservation groups, technology companies, research institutions, scientists (including those with expertise in marine environments) institutions of higher education, industry, or individual stakeholders with an interest in the prevention of marine debris or the promotion of innovative materials;
 - (v) experts in the area of standards development regarding the degradation, breakdown, or recycling of polymers; and
 - (vi) other relevant experts of the Board's choosing;
 - (G) in consultation with, and subject to final approval by, the Secretary, develop criteria for the selection of prize competition winners;
 - (H) provide advice and consultation to the Secretary on the selection of judges under section 124 based on criteria developed in consultation with, and subject to the final approval of, the Secretary;
 - (I) announce 1 or more annual winners of the prize competition;
 - (J) subject to paragraph (2), award 1 or more cash prizes biennially of not less than \$100,000; and
 - (K) protect against unauthorized use or disclosure by the Marine Debris Foundation of any trade secret or confidential business information of a prize competition participant.
- (2) ADDITIONAL CASH PRIZES.—The Marine Debris Foundation may award more than 1 cash prize in a year—
- (A) if the initial cash prize referred to in paragraph (1)(J) and any additional cash prizes are awarded using only non-Federal funds; and
 - (B) consisting of an amount determined by the Under Secretary after the Secretary is notified by the Marine Debris Foundation that non-Federal funds are available for an additional cash prize.
- (3) SOLICITATION OF FUNDS.—The Marine Debris Foundation—

(A) may request and accept Federal funds and non-Federal funds for a cash prize or administration of the prize competition;

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

(C) shall not give special consideration to any Federal agency or non-Federal entity in exchange for a donation for a cash prize awarded under this section.

SEC. 124. JUDGES.

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

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

125. REPORT TO CONGRESS.

Not later than 60 days after the date on which a cash prize is awarded under this title, the Secretary shall post on a publicly available website a report on the prize competition that includes—

(1) if the Secretary has entered into an agreement under section 123, a statement by the Marine Debris Foundation that describes the activities carried out by the Marine Debris Foundation relating to the duties described in section 123; and

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

SEC. 126. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 127. TERMINATION OF AUTHORITY.

The prize program will terminate after 5 prize competition cycles have been completed.

Subtitle D—Administration

SEC. [7.] 131. DEFINITIONS.

In this Act:

[(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.]

(1) CIRCULAR ECONOMY.—The term “circular economy” has the meaning given such term in section 2 of the Save Our Seas 2.0 Act (Public Law 116–224).

(2) COASTAL SHORELINE COMMUNITY.—The term “coastal shoreline community” means a city or county directly adjacent to the open ocean, major estuaries, or the Great Lakes.

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

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

【2】(5) *INTERAGENCY COMMITTEE.*— * * *

【3】(6) *MARINE DEBRIS.*— * * *

【4】(7) *MARPOL; ANNEX V; CONVENTION.*— * * *

[Section 2(7) of the Save Our Seas 2.0 Act (Public Law 116–224) was transferred to section 131 of the Marine Debris Act (Public Law 109–449), inserted after paragraph (7) (as redesignated), and redesignated as paragraph (8).]

【(7)】(8) *NON-FEDERAL FUNDS.*—The term “non-Federal funds” means funds provided by—

(A) a State;

(B) an Indian Tribe;

(C) a territory of the United States;

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

(E) a foreign government;

(F) a private for-profit entity;

(G) a nonprofit organization; or

(H) a private individual.

(9) *NONPROFIT ORGANIZATION.*—The term “nonprofit organization” has the meaning given such term in section 2 of the Save Our Seas 2.0 Act (Public Law 116–224).

(10) *POST CONSUMER MATERIALS MANAGEMENT.*—The term “post-consumer materials management” has the meaning given such term in section 2 of the Save Our Seas 2.0 Act (Public Law 116–224).

【5】(11) *PROGRAM.*— * * *

【6】(12) *SEVERE MARINE DEBRIS EVENT.*— * * *

【7】(13) *STATE.*—The term “State” means—

(A) any State of the United States that is impacted by marine debris within its seaward or Great Lakes boundaries;

(B) *Indian Tribe*;

【(B)】(C) the District of Columbia;

【(C)】(D) American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands; and

【(D)】(E) any other territory or possession of the United States, or separate sovereign in free association with the United States, that is impacted by marine debris within its seaward boundaries.

(14) *TRIBAL GOVERNMENT.*—The term “Tribal Government” means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of the enactment of the Save Our Seas 2.0 Amendments Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(15) *TRIBAL ORGANIZATION.*—The term “Tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(16) *UNDER SECRETARY*.—The term “Under Secretary” has the meaning given such term in section 2 of the Save Our Seas 2.0 Act (Public Law 116–224).

SEC. [8.] 132. RELATIONSHIP TO OUTER CONTINENTAL SHELF LANDS ACT.

Nothing in this Act supersedes, or limits the authority of the Secretary of the Interior under, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

SEC. [9.] 133. AUTHORIZATION OF APPROPRIATIONS.

(a) *IN GENERAL*.—There is authorized to be appropriated to the [Administrator] Under Secretary \$15,000,000 [for fiscal year 2023 for carrying out] for each of fiscal years 2018 through 2029 for carrying out [sections 3, 5, and 6] sections 101, 103, and 104, of which not more than 7 percent is authorized for each fiscal year for administrative costs.

(b) *AMOUNTS AUTHORIZED FOR COAST GUARD*.—Of the amounts authorized for each fiscal year under section 4902(1) of title 14, United States Code, up to \$2,000,000 is authorized for the Secretary of the department in which the Coast Guard is operating for use by the Commandant of the Coast Guard to carry out section 4 of this Act, of which not more than 5 percent is authorized for each fiscal year for administrative costs.

SEC. [10.] 134. PRIORITIZATION OF MARINE DEBRIS IN EXISTING INNOVATION AND ENTREPRENEURSHIP PROGRAMS.

In carrying out any relevant innovation and entrepreneurship programs that improve the innovation, effectiveness, and efficiency of the Marine Debris Program established under section 3 without undermining the purpose for which such program was established, the Secretary of Commerce, the Secretary of Energy, the [Administrator of the Environmental Protection Agency] EPA Administrator, and the heads of other relevant Federal agencies, shall prioritize efforts to combat marine debris, including by—

- (1) increasing innovation in methods and the effectiveness of efforts to identify, determine sources of, assess, prevent, reduce, and remove marine debris; and
- (2) addressing the impacts of marine debris on—
 - (A) the economy of the United States;
 - (B) the marine environment; and
 - (C) navigation safety.

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SAVE OUR SEAS 2.0 ACT

[Public Law 116–224]

* * * * *

SEC. 2. DEFINITIONS.

In this Act:

- (1) * * *
- (2) * * *
- (3) * * *
- (4) * * *
- (5) * * *

(6) * * *

[Section 2(7) of the Save Our Seas 2.0 Act (Public Law 116–224) was transferred to section 131 of the Marine Debris Act (Public Law 109–449), inserted after paragraph (7) (as redesignated), and redesignated as paragraph (8).]

[(7) * * *]

[(8)] (7) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

[(9)] (8) POST-CONSUMER MATERIALS MANAGEMENT.—The term “post-consumer materials management” means the systems, operation, supervision, and long-term management of processes and equipment used for post-use material (including packaging, goods, products, and other materials), including—

- (A) collection;
- (B) transport;
- (C) safe disposal of waste that cannot be recovered, reused, recycled, repaired, or refurbished; and
- (D) systems and processes related to post-use materials that can be recovered, reused, recycled, repaired, or refurbished.

[(10)] (9) STATE.—The term “State” means—

- (A) a State;
- (B) an Indian Tribe;
- (C) the District of Columbia;
- (D) a territory or possession of the United States; or
- (E) any political subdivision of an entity described in subparagraphs (A) through (D).

[(11)] (10) UNDER SECRETARY.—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

TITLE I—COMBATING MARINE DEBRIS

Subtitle A—Amendments to the Marine Debris Act

* * * * *

[Subtitle B of title I of the Save Our Seas 2.0 Act (Public Law 116–224), which includes sections 111–119, was transferred to appear after section 104 of the Marine Debris Act (Public Law 109–449).]

[Subtitle B—Marine Debris Foundation]

[SEC. 111. * * *]

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[SEC. 112. * * *]

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[SEC. 113. * * *]

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[SEC. 114. * * *]

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[SEC. 115. * * *]

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[SEC. 116. * * *]

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[SEC. 117. * * *]

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[SEC. 118. * * *]

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[SEC. 119. * * *]

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[Subtitle C of title I of the Save Our Seas 2.0 Act (Public Law 116–224), which includes sections 121–127, was transferred to appear after section 119 of the Marine Debris Act (Public Law 109–449).]

[Subtitle C—Genius Prize for Save Our Seas Innovations]

[SEC. 121. * * *]

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[SEC. 122. * * *]

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[SEC. 123. * * *]

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[SEC. 124. * * *]

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[SEC. 125. * * *]

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[SEC. 126. * * *]

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[SEC. 127. * * *]

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Subtitle D—Studies, Pilot Projects, and Reports

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