

117TH CONGRESS
2D SESSION

H. R. 9255

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 HOUSE OF REPRESENTATIVES

OCTOBER 31, 2022

Ms. BONAMICI (for herself, Miss GONZÁLEZ-COLÓN, Mrs. PELTOLA, Ms. PINGREE, Mr. SUOZZI, Mr. PANETTA, Mr. LIEU, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Save Our Seas 2.0
5 Amendments Act”.

1 **SEC. 2. MODIFICATIONS TO THE MARINE DEBRIS FOUNDA-**
2 **TION.**

3 (a) STATUS OF FOUNDATION.—Section 111(a) of the
4 Save Our Seas 2.0 Act (33 U.S.C. 4211(a)) is amended,
5 in the second sentence, by striking “organization” and in-
6 serting “corporation”.

7 (b) BOARD OF DIRECTORS.—

8 (1) APPOINTMENTS AND REMOVAL.—Section
9 112(b) of such Act (33 U.S.C. 4212(b)) is amend-
10 ed—

11 (A) in paragraph (1), in the matter pre-
12 ceding subparagraph (A), by inserting “and
13 such other criteria as the Under Secretary may
14 establish” after “subsection (a)”;

15 (B) in paragraph (5), by inserting “the
16 Administrator of the United States Agency for
17 International Development,” after “Service,”;

18 (C) by redesignating subparagraphs (2)
19 through (5) as subparagraphs (3) through (6),
20 respectively; and

21 (D) by inserting after paragraph (1) the
22 following:

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

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

3 (2) GENERAL POWERS.—Section 112(g) of such
4 Act (33 U.S.C. 4212(g)) is amended—

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

8 (B) in paragraph (2)(B)(i), by striking
9 “chief operating officer” and inserting “chief
10 executive officer”.

11 (3) CHIEF EXECUTIVE OFFICER.—Section 112
12 of such Act (33 U.S.C. 4212) is amended by adding
13 at the end the following:

14 “(h) CHIEF EXECUTIVE OFFICER.—

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

19 “(2) POWERS.—The chief executive officer of
20 the Board may appoint, remove, and review the per-
21 formance of any officer or employee of the Founda-
22 tion.”.

23 (c) POWERS OF FOUNDATION.—Section 113(c)(1) of
24 such Act (33 U.S.C. 4213(c)(1)) is amended, in the mat-
25 ter preceding subparagraph (A)—

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

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

5 (d) PRINCIPAL OFFICE.—Section 113 of such Act
6 (33 U.S.C. 4213) is amended by adding at the end the
7 following:

8 “(g) PRINCIPAL OFFICE.—The Board may locate the
9 principal office of the Foundation outside the District of
10 Columbia and is encouraged to locate that office in a
11 coastal State.”.

12 (e) USE OF FUNDS.—Section 118 of such Act (33
13 U.S.C. 4218) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (2), by striking “and
16 State and local government agencies” and in-
17 serting “, State and local government agencies,
18 United States and international nongovern-
19 mental organizations, regional organizations,
20 and foreign government entities”; and

21 (B) in paragraph (3)—

22 (i) in the paragraph heading, by strik-
23 ing “PROHIBITION” and inserting “LIMI-
24 TATION”; and

1 (ii) by striking subparagraph (B) and
2 inserting the following:

3 “(B) SALARIES.—The Foundation may use
4 Federal funds described in subparagraph (A) to
5 pay for salaries only during the 24-month pe-
6 riod beginning on the date of the enactment of
7 this Act. The Secretary shall not require reim-
8 bursement from the Foundation for any such
9 Federal funds used to pay for such salaries.”;
10 and

11 (2) in subsection (b)(2), by striking “and State
12 and local government agencies” and inserting “,
13 State and local government agencies, United States
14 and international nongovernmental organizations, re-
15 gional organizations, and foreign government enti-
16 ties”.

17 **SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS PROGRAM**
18 **OF THE NATIONAL OCEANIC AND ATMOS-**
19 **PHERIC ADMINISTRATION.**

20 (a) GRANTS, COOPERATIVE AGREEMENTS, CON-
21 TRACTS, AND OTHER AGREEMENTS.—Section 3(d) of the
22 Marine Debris Act (33 U.S.C. 1952(d)) is amended—

23 (1) in the subsection heading, by striking “AND
24 CONTRACTS” and inserting “CONTRACTS, AND
25 OTHER AGREEMENTS”;

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

4 (3) in paragraph (2)—

5 (A) in subparagraph (B)—

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

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

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

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

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

1 (b) RECEIPT AND EXPENDITURE OF FUNDS; USE OF
2 RESOURCES.—Section 3 of the Marine Debris Act (33
3 U.S.C. 1952) is amended by adding at the end the fol-
4 lowing:

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

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

12 “(2) any State, local, or tribal government (or
13 any political subdivision thereof);

14 “(3) any foreign government or international
15 organization;

16 “(4) any public or private organization; or

17 “(5) any individual.

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

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

1 “(2) any State, local, or tribal government (or
2 any political subdivision thereof);

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

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

6 “(5) any individual.”.

7 **SEC. 4. BEST PRACTICES.**

8 Section 113 of the Save Our Seas 2.0 Act (33 U.S.C.
9 4213) (as amended by section 2(d)) is amended by adding
10 at the end the following:

11 “(h) BEST PRACTICES.—

12 “(1) TRIBAL GOVERNMENT.—In this para-
13 graph, the term ‘Tribal government’ means the rec-
14 ognized governing body of any Indian or Alaska Na-
15 tive tribe, band, nation, pueblo, village, community,
16 component band, or component reservation individ-
17 ually identified (including parenthetically) in the list
18 published most recently as of the date of enactment
19 of the Save Our Seas 2.0 Amendments Act pursuant
20 to section 104 of the Federally Recognized Indian
21 Tribe List Act of 1994 (25 U.S.C. 5131).

22 “(2) BEST PRACTICES.—The Foundation shall
23 develop and implement best practices for conducting
24 outreach to Tribal governments and Indian Tribes.

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

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

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

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