

119TH CONGRESS
1ST SESSION

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.

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

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 PROGRAM**
 2 **OF THE NATIONAL OCEANIC AND ATMOS-**
 3 **PHERIC ADMINISTRATION.**

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

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

7 **“Subtitle A—NOAA And Coast**
 8 **Guard Programs”; and**

9 (2) by redesignating sections 3 through 6 as
 10 sections 101 through 104, respectively.

11 (b) GRANTS, COOPERATIVE AGREEMENTS, CON-
 12 TRACTS, AND OTHER AGREEMENTS.—Section 101(d) of
 13 the Marine Debris Act (33 U.S.C. 1952(d)), as redesi-
 14 gnated by this Act, is amended—

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

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

21 (3) in paragraph (2)—

22 (A) in subparagraph (B)—

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

25 (ii) by inserting “or (C)” after “sub-
 26 paragraph (A)”;

1 (B) in subparagraph (C) in the matter pre-
2 ceding clause (i) by inserting “and except as
3 provided in subparagraph (B)” after “subpara-
4 graph (A)”;

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

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

16 **SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS FOUNDA-**
17 **TION.**

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

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

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

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

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

8 (d) BOARD OF DIRECTORS.—

9 (1) APPOINTMENT, VACANCIES, AND RE-
10 MOVAL.—Section 112(b) of the Marine Debris Act
11 (Public Law 109–449), as transferred by this Act,
12 is amended—

13 (A) by redesignating paragraphs (1)
14 through (5) as paragraphs (2) through (6) re-
15 spectively;

16 (B) by inserting before paragraph (2), as
17 redesignated, the following:

18 “(1) RECOMMENDATIONS OF BOARD REGARD-
19 ING APPOINTMENTS.—For appointments made
20 under paragraph (2), the Board shall submit to the
21 Under Secretary recommendations on candidates for
22 appointment.”;

23 (C) in paragraph (2), as redesignated, in
24 the matter preceding subparagraph (A)—

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

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

6 (D) by amending paragraph (3), as redes-
7 igned, to read as follows:

8 “(3) TERMS.—Any Director appointed under
9 paragraph (2) shall be appointed for a term of 6
10 years.”;

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

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

15 (i) by inserting “the Administrator of
16 the United States Agency for International
17 Development,” after “Service,”; and

18 (ii) by inserting “and with the ap-
19 proval of the Secretary of Commerce” after
20 “EPA Administrator”.

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

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

4 (B) in paragraph (2)(B)(i) by striking “its
5 chief operating officer” and inserting “the chief
6 executive officer of the Foundation”.

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

11 “(h) CHIEF EXECUTIVE OFFICER.—

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

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

20 (e) POWERS OF FOUNDATION.—Section 113(c)(1) of
21 the Marine Debris Act (Public Law 109–449), as trans-
22 ferred by this Act, is amended in the matter preceding
23 subparagraph (A)—

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

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

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

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

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

16 “(h) BEST PRACTICES.—

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

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

22 “(A) include a process to support technical
23 assistance and capacity building to improve out-
24 comes; and

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

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

5 “(1) to satisfy any requirement for government-
6 to-government consultation with Tribal Govern-
7 ments; or

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

10 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
11 118(a) of the Marine Debris Act (Public Law 109–449),
12 as transferred by this Act, is amended—

13 (1) in paragraph (1), by inserting “and
14 \$2,000,000 for fiscal year 2025” after “through
15 2024”; and

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

21 (i) REAUTHORIZATION.—Section 9(a) of the Marine
22 Debris Act (Public Law 109–449) is amended by striking
23 “for” the first place it appears and all that follows through
24 “carrying out” and inserting “for each of fiscal years
25 2018 through 2029 for carrying out”.

1 **SEC. 4. TRANSFERS.**

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

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

9 (1) by transferring sections 7, 8, 9 (as amend-
10ed), and 10 to appear after section 127, as trans-
11ferred by this Act, and redesignated as sections 131,
12132, 133, and 134, respectively; and

13 (2) by inserting before section 131, as so trans-
14ferred and redesignated, the following:

15 **“Subtitle D—Administration”.**

16 **SEC. 5. DEFINITIONS.**

17 (a) IN GENERAL.—Section 131 of the Marine Debris
18 Act (Public Law 109–449), as transferred and redесig-
19nated by this Act, is amended—

20 (1) by striking paragraph (1);

21 (2) by redesignating paragraphs (2), (3), (4),
22(5), (6), and (7) as paragraphs (5), (6), (7), (11),
23(12), and (13), respectively;

24 (3) by inserting before paragraph (5), as so re-
25designated, the following:

1 “(1) CIRCULAR ECONOMY.—The term ‘circular
2 economy’ has the meaning given such term in sec-
3 tion 2 of the Save Our Seas 2.0 Act (Public Law
4 116–224).

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

9 “(3) EPA ADMINISTRATOR.—The term ‘EPA
10 Administrator’ has the meaning given such term in
11 section 2 of the Save Our Seas 2.0 Act (Public Law
12 116–224).

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

17 (4) by inserting before paragraph (11), as so
18 redesignated, the following:

19 “(9) NONPROFIT ORGANIZATION.—The term
20 ‘nonprofit organization’ has the meaning given such
21 term in section 2 of the Save Our Seas 2.0 Act
22 (Public Law 116–224).

23 “(10) POST CONSUMER MATERIALS MANAGE-
24 MENT.—The term ‘post-consumer materials manage-
25 ment’ has the meaning given such term in section 2

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

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

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

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

19 “(16) UNDER SECRETARY.—The term ‘Under
20 Secretary’ has the meaning given such term in sec-
21 tion 2 of the Save Our Seas 2.0 Act (Public Law
22 116–224).”;

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

1 (A) by redesignating subparagraphs (B),
2 (C), and (D) as subparagraphs (C), (D), and
3 (E); and

4 (B) by inserting after subparagraph (A)
5 the following:

6 “(B) Indian Tribe;”.

7 (b) TRANSFER.—

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

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

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

23 **SEC. 6. CONFORMING AMENDMENTS.**

24 (a) IN GENERAL.—Sections 1 and 2 of the Marine
25 Debris Act, sections 101, 102, and 104 of the Marine De-

1 bris Act, as redesignated by this Act, and section 133 of
2 the Marine Debris Act, as transferred and so redesignated
3 by this Act, are amended by striking “Administrator” and
4 inserting “Under Secretary”.

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

7 (1) striking “Administrator of the National
8 Oceanic and Atmospheric Administration” and in-
9 serting “Under Secretary”;

10 (2) striking “Administrator of the Environ-
11 mental Protection Agency” and inserting “EPA Ad-
12 ministrator”; and

13 (3) in subsection (e)(3) by striking “section 3”
14 and inserting “section 101”.

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

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

22 (e) SECTION 134.—Section 134 of the Marine Debris
23 Act, as transferred and so redesignated by this Act, is
24 amended by striking “Administrator of the Environmental
25 Protection Agency” and inserting “EPA Administrator”.

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

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