

118TH CONGRESS
2D SESSION

S. 5649

AN ACT

To amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, to improve the administration of the Marine Debris Foundation, 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 Section 3(d) of the Marine Debris Act (33 U.S.C.
8 1952(d)) is amended—

9 (1) in the subsection heading, by striking “AND
10 CONTRACTS” and inserting “CONTRACTS, AND
11 OTHER AGREEMENTS”;

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

15 (3) in paragraph (2)—

16 (A) in subparagraph (B)—

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

19 (ii) by inserting “or (C)” after “sub-
20 paragraph (A)”;

21 (B) in subparagraph (C), in the matter
22 preceding clause (i), by inserting “and except as
23 provided in subparagraph (B)” after “subpara-
24 graph (A)”;

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

1 (A) by redesignating paragraphs (1)
2 through (5) as paragraphs (2) through (6), re-
3 spectively;

4 (B) by inserting before paragraph (2) the
5 following:

6 “(1) RECOMMENDATIONS OF BOARD REGARD-
7 ING APPOINTMENTS.—For appointments made
8 under paragraph (2), the Board shall submit to the
9 Under Secretary recommendations on candidates for
10 appointment.”;

11 (C) in paragraph (2), as redesignated by
12 subparagraph (A), in the matter preceding sub-
13 paragraph (A)—

14 (i) by striking “paragraph (2)” and
15 inserting “paragraph (3)”;

16 (ii) by striking “and considering” and
17 inserting “considering”; and

18 (iii) by inserting “under paragraph
19 (1), and with the approval of the Secretary
20 of Commerce” after “by the Board”;

21 (D) by amending paragraph (3), as so re-
22 designated, to read as follows:

23 “(3) TERMS.—Any Director appointed under
24 paragraph (2) shall be appointed for a term of 6
25 years.”;

1 (E) in subparagraph (A) of paragraph (4),
2 as so redesignated, by inserting “with the ap-
3 proval of the Secretary of Commerce” after
4 “the Board”; and

5 (F) in paragraph (6), as so redesignated—

6 (i) by inserting “the Administrator of
7 the United States Agency for International
8 Development,” after “Service,”; and

9 (ii) by inserting “, and with the ap-
10 proval of the Secretary of Commerce” after
11 “EPA Administrator”.

12 (2) GENERAL POWERS.—Section 112(g) of the
13 Save Our Seas 2.0 Act (33 U.S.C. 4212(g)) is
14 amended—

15 (A) in paragraph (1)(A), by striking “offi-
16 cers and employees” and inserting “the initial
17 officers and employees”; and

18 (B) in paragraph (2)(B)(i), by striking “its
19 chief operating officer” and inserting “the chief
20 executive officer of the Foundation”.

21 (3) CHIEF EXECUTIVE OFFICER.—Section 112
22 of the Save Our Seas 2.0 Act (33 U.S.C. 4212) is
23 amended by adding at the end the following:

24 “(h) CHIEF EXECUTIVE OFFICER.—

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

5 “(2) POWERS.—The chief executive officer of
6 the Foundation may appoint, remove, and review the
7 performance of any officer or employee of the Foun-
8 dation.”.

9 (d) POWERS OF FOUNDATION.—Section 113(c)(1) of
10 the Save Our Seas 2.0 Act (33 U.S.C. 4213(c)(1)) is
11 amended, in the matter preceding subparagraph (A)—

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

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

16 (e) PRINCIPAL OFFICE.—Section 113 of the Save
17 Our Seas 2.0 Act (33 U.S.C. 4213) is amended by adding
18 at the end the following:

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

24 (f) BEST PRACTICES; RULE OF CONSTRUCTION.—
25 Section 113 of the Save Our Seas 2.0 Act (33 U.S.C.

1 4213), as amended by subsection (e), is further amended
2 by adding at the end the following:

3 “(h) BEST PRACTICES FOR OUTREACH TO INDIAN
4 TRIBES.—

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

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

10 “(A) include a process to support technical
11 assistance and capacity building to improve out-
12 comes; and

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

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

17 “(1) to satisfy any requirement for government-
18 to-government consultation with Tribal governments;
19 or

20 “(2) to affect or modify any treaty or other
21 right of any Tribal government.”.

22 (g) USE OF FUNDS.—Section 118(a)(2) of the Save
23 Our Seas 2.0 Act (33 U.S.C. 4218(a)(2)) is amended by
24 striking “and State and local government agencies” and
25 inserting “, State and local government agencies, United

1 States and international nongovernmental organizations,
2 regional organizations, Indian Tribes, Tribal organiza-
3 tions, and foreign government entities”.

4 **SEC. 4. ORGANIZATION OF MARINE DEBRIS ACT.**

5 (a) IN GENERAL.—The Marine Debris Act (33
6 U.S.C. 1951 et seq.) is amended—

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

8 **“Subtitle A—National Oceanic and**
9 **Atmospheric Administration**
10 **and Coast Guard Programs”;**

11 (2) by redesignating sections 3 through 6 as
12 sections 101 through 104, respectively;

13 (3) by redesignating sections 7 through 10 as
14 sections 131 through 134, respectively; and

15 (4) by inserting before section 131, as redesign-
16 nated by paragraph (3), the following:

17 **“Subtitle D—Administration”.**

18 (b) MARINE DEBRIS FOUNDATION.—Subtitle B of
19 title I of the Save Our Seas 2.0 Act (33 U.S.C. 4211 et
20 seq.) is—

21 (1) transferred to the Marine Debris Act; and

22 (2) inserted after section 104 of the Marine De-
23bris Act, as redesignated by subsection (a)(2).

1 (c) GENIUS PRIZE FOR SAVE OUR SEAS INNOVA-
2 TIONS.—Subtitle C of title I of the Save Our Seas 2.0
3 Act (33 U.S.C. 4231 et seq.) is—

4 (1) transferred to the Marine Debris Act; and

5 (2) inserted after section 119 of the Marine De-
6bris Act, as transferred and inserted by subsection

7 (b).

8 **SEC. 5. DEFINITIONS.**

9 Section 131 of the Marine Debris Act, as redesi-
10gnated by section 4(a)(3), is amended—

11 (1) by redesignating paragraphs (2), (3), (4),
12 (5), (6), and (7) as paragraphs (4), (5), (6), (10),
13 (11), and (12), respectively;

14 (2) by striking paragraph (1) and inserting the
15 following:

16 “(1) CIRCULAR ECONOMY.—The term ‘circular
17 economy’ has the meaning given such term in sec-
18 tion 2 of the Save Our Seas 2.0 Act (Public Law
19 116–224; 33 U.S.C. 4201 note).

20 “(2) COASTAL SHORELINE COMMUNITY.—The
21 term ‘coastal shoreline community’ means a city or
22 county directly adjacent to the open ocean, a major
23 estuary, or one of the Great Lakes.

1 “(3) EPA ADMINISTRATOR.—The term ‘EPA
2 Administrator’ means the Administrator of the Envi-
3 ronmental Protection Agency.”;

4 (3) by inserting after paragraph (6), as redesign-
5 nated by paragraph (1), the following:

6 “(7) NON-FEDERAL FUNDS.—The term ‘non-
7 Federal funds’ means funds provided by—

8 “(A) a State;

9 “(B) an Indian Tribe;

10 “(C) a territory of the United States;

11 “(D) one or more units of local govern-
12 ments or Tribal organizations;

13 “(E) a foreign government;

14 “(F) a private for-profit entity;

15 “(G) a nonprofit organization; or

16 “(H) a private individual.

17 “(8) NONPROFIT.—The term ‘nonprofit’, with
18 respect to a corporation or other organization,
19 means the corporation or other organization is de-
20 scribed in section 501(c) of the Internal Revenue
21 Code of 1986 and exempt from tax under section
22 501(a) of such Code.

23 “(9) 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 116–224;
2 33 U.S.C. 4201 note).”;

3 (4) in paragraph (12), as so redesignated—

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

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

9 “(B) Indian Tribe;”;

10 (5) by adding after paragraph (12), as so redesi-
11 gnated, the following:

12 “(13) TRIBAL GOVERNMENT.—The term ‘Tribal
13 government’ means the recognized governing body of
14 any Indian or Alaska Native Tribe, band, nation,
15 pueblo, village, community, component band, or com-
16 ponent reservation, individually identified (including
17 parenthetically) in the list published most recently as
18 of the date of the enactment of the Save Our Seas
19 2.0 Amendments Act pursuant to section 104 of the
20 Federally Recognized Indian Tribe List Act of 1994
21 (25 U.S.C. 5131).

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

1 “(15) UNDER SECRETARY.—The term ‘Under
2 Secretary’ means the Under Secretary of Commerce
3 for Oceans and Atmosphere and Administrator of
4 the National Oceanic and Atmospheric Administra-
5 tion.”.

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

7 (a) MARINE DEBRIS ACT.—The Marine Debris Act
8 (33 U.S.C. 1951 et seq.), as amended by this Act, is fur-
9 ther amended—

10 (1) in section 103, as redesignated by section
11 4(a)(2)—

12 (A) in subsection (d), in the matter pre-
13 ceding paragraph (1)—

14 (i) by striking “Administrator of the
15 National Oceanic and Atmospheric Admin-
16 istration” and inserting “Under Sec-
17 retary”; and

18 (ii) by striking “Administrator of the
19 Environmental Protection Agency” and in-
20 sert “EPA Administrator”; and

21 (B) in subsection (e)(3), by striking “sec-
22 tion 3” and inserting “section 101”;

23 (2) in subsection (b)(4) of section 111, as
24 transferred by section 4(b), by striking “title III”
25 and inserting “subtitle C”;

1 (3) in subsection (a) of section 123, as trans-
2 ferred by section 4(c), by striking “title I” and in-
3 serting “subtitle B”;

4 (4) in section 134, as redesignated by section
5 4(a)(3), by striking “Administrator of the Environ-
6 mental Protection Agency” and inserting “EPA Ad-
7 ministrators”; and

8 (5) by striking “Administrator” each place it
9 appears (other than in section 103(d)), 131, or 134,
10 as redesignated by section 4(a)) and inserting
11 “Under Secretary”.

12 (b) SAVE OUR SEAS 2.0 ACT.—Section 2 of the Save
13 Our Seas 2.0 Act (Public Law 116–224; 33 U.S.C. 4201
14 note) is amended—

15 (1) by striking paragraph (7); and

16 (2) by redesignating paragraphs (8) through
17 (11) as paragraphs (7) through (10), respectively.

 Passed the Senate December 21 (legislative day, De-
 cember 16), 2024.

 Attest:

Secretary.

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