

*managers Amendment*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.****S. 2372**To enhance global engagement to combat marine debris, and  
for other purposes.Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. MENENDEZ

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:3 **SECTION 1. SHORT TITLE; DEFINITIONS.**4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Save Our Seas 2.0: Enhanced Global Engagement to  
6 Combat Marine Debris Act”.7 (b) **DEFINITIONS.**—In this Act:8 (1) **CIRCULAR ECONOMY.**—The term “circular  
9 economy” means an economy that uses a systems-fo-  
10 cused approach and involves industrial processes and  
11 economic activities that—

1 (A) are restorative or regenerative by de-  
2 sign;

3 (B) enable resources used in such proe-  
4 cesses and activities to maintain their highest  
5 values for as long as possible; and

6 (C) aim for the elimination of waste  
7 through the superior design of materials, prod-  
8 ucts, and systems (including business models).

9 (2) EPA ADMINISTRATOR.—The term “EPA  
10 Administrator” means the Administrator of the En-  
11 vironmental Protection Agency.

12 (3) MARINE DEBRIS.—The term “marine de-  
13bris” has the meaning given that term in section 7  
14 of the Marine Debris Act (33 U.S.C. 1956).

15 (4) MARINE DEBRIS EVENT.—The term “ma-  
16rine debris event” means an event or related events  
17 that affects or may imminently affect the United  
18 States involving—

19 (A) marine debris caused by a natural  
20 event, including a tsunami, flood, landslide,  
21 hurricane, or other natural source;

22 (B) distinct, nonrecurring marine debris,  
23 including derelict vessel groundings and con-  
24 tainer spills, that have immediate or long-term

1 impacts on habitats with high ecological, eco-  
2 nomic, or human-use values; or

3 (C) marine debris caused by an intentional  
4 or grossly negligent act or acts that causes sub-  
5 stantial economic or environmental harm.

6 (5) POST-CONSUMER MATERIALS MANAGE-  
7 MENT.—The term “post-consumer materials man-  
8 agement” means the systems, operation, supervision,  
9 and aftercare of processes and equipment for post-  
10 consumer materials, including —

11 (A) collection;

12 (B) transport;

13 (C) safe disposal of waste, such as post-  
14 consumer materials that cannot be recovered,  
15 reused, recycled, repaired, or refurbished; and

16 (D) systems and processes related to recov-  
17 ering, recycling, reusing, repairing, or refur-  
18 bishing post-consumer materials.

19 (6) UNDER SECRETARY.—The term “Under  
20 Secretary” means the Under Secretary of Commerce  
21 for Oceans and Atmosphere and Administrator of  
22 the National Oceanic and Atmospheric Administra-  
23 tion.

1 **SEC. 2. STATEMENT OF POLICY ON INTERNATIONAL CO-**  
2 **OPERATION TO COMBAT MARINE DEBRIS.**

3 It is the policy of the United States to partner, con-  
4 sult, and coordinate with foreign governments (at the na-  
5 tional and subnational levels), civil society, international  
6 organizations, international financial institutions, sub-  
7 national coastal communities, commercial and recreational  
8 fishing industry leaders, and the private sector, in a con-  
9 certed effort—

10 (1) to increase knowledge and raise awareness  
11 about—

12 (A) the linkages between the sources of  
13 plastic waste, mismanaged waste and post-con-  
14 sumer materials, and marine debris; and

15 (B) the upstream and downstream causes  
16 and effects of plastic waste, mismanaged waste  
17 and post-consumer materials, and marine debris  
18 on marine environments, marine wildlife,  
19 human health, and economic development;

20 (2) to support—

21 (A) strengthening systems for recovering,  
22 managing, reusing (to the extent practicable),  
23 and recycling plastic waste, marine debris, and  
24 microfiber pollution in the world's oceans, em-  
25 phasizing upstream post-consumer materials  
26 management solutions—

1 (i) to mitigate plastic waste at its  
2 source; and

3 (ii) to prevent leakage of plastic waste  
4 into the environment;

5 (B) advancing the utilization and avail-  
6 ability of safe and affordable reusable alter-  
7 natives to disposable plastic products in com-  
8 merce, to the extent practicable, and with con-  
9 sideration for the potential impacts of such al-  
10 ternatives, and other efforts to prevent marine  
11 debris;

12 (C) deployment of and access to advanced  
13 technologies to capture value from post-con-  
14 sumer materials and municipal solid waste  
15 streams through mechanical and other recycling  
16 systems;

17 (D) access to information on best practices  
18 in post-consumer materials management, op-  
19 tions for post-consumer materials management  
20 systems financing, and options for participating  
21 in public-private partnerships; and

22 (E) implementation of management meas-  
23 ures to reduce derelict fishing gear, the loss of  
24 fishing gear, and other sources of pollution gen-  
25 erated from marine activities and to increase

1 proper disposal and recycling of fishing gear;

2 and

3 (3) to work cooperatively with international

4 partners—

5 (A) on establishing—

6 (i) measurable targets for reducing

7 marine debris, lost fishing gear, and plastic

8 waste from all sources; and

9 (ii) action plans to achieve those tar-

10 gets with a mechanism to provide regular

11 reporting;

12 (B) to promote consumer education,

13 awareness, and outreach to prevent marine de-

14 bris;

15 (C) to reduce marine debris by improving

16 advance planning for marine debris events and

17 responses to such events; and

18 (D) to share best practices in post-con-

19 sumer materials management systems to pre-

20 vent the entry of plastic waste into the environ-

21 ment.

1 **SEC. 3. PRIORITIZATION OF EFFORTS AND ASSISTANCE TO**  
2 **COMBAT MARINE DEBRIS AND IMPROVE**  
3 **PLASTIC WASTE MANAGEMENT.**

4 (a) IN GENERAL.—The Secretary of State shall, in  
5 coordination with the Administrator of the United States  
6 Agency for International Development, as appropriate,  
7 and the officials specified in subsection (b)—

8 (1) lead and coordinate efforts to implement the  
9 policy described in section 2; and

10 (2) develop strategies and implement programs  
11 that prioritize engagement and cooperation with for-  
12 eign governments, subnational and local stake-  
13 holders, and the private sector to expedite efforts  
14 and assistance in foreign countries—

15 (A) to partner with, encourage, advise and  
16 facilitate national and subnational governments  
17 on the development and execution, where prac-  
18 ticable, of national projects, programs and ini-  
19 tiatives to—

20 (i) improve the capacity, security, and  
21 standards of operations of post-consumer  
22 materials management systems;

23 (ii) monitor and track how well post-  
24 consumer materials management systems  
25 are functioning nationwide, based on uni-  
26 form and transparent standards developed

1 in cooperation with municipal, industrial,  
2 and civil society stakeholders;

3 (iii) identify the operational challenges  
4 of post-consumer materials management  
5 systems and develop policy and pro-  
6 grammatic solutions;

7 (iv) end intentional or unintentional  
8 incentives for municipalities, industries,  
9 and individuals to improperly dispose of  
10 plastic waste; and

11 (v) conduct outreach campaigns to  
12 raise public awareness of the importance of  
13 proper waste disposal;

14 (B) to facilitate the involvement of munici-  
15 palities and industries in improving solid waste  
16 reduction, collection, disposal, and reuse and re-  
17 cycling projects, programs, and initiatives;

18 (C) to partner with and provide technical  
19 assistance to investors, and national and local  
20 institutions, including private sector actors, to  
21 develop new business opportunities and solu-  
22 tions to specifically reduce plastic waste and ex-  
23 pand solid waste and post-consumer materials  
24 management best practices in foreign countries  
25 by—



1 (i) maximizing the number of people  
2 and businesses, in both rural and urban  
3 communities, receiving reliable solid waste  
4 and post-consumer materials management  
5 services;

6 (ii) improving and expanding the ca-  
7 pacity of foreign industries to responsibly  
8 employ post-consumer materials manage-  
9 ment practices;

10 (iii) improving and expanding the ca-  
11 pacity and transparency of tracking mech-  
12 anisms for marine debris to reduce the im-  
13 pacts on the marine environment;

14 (iv) eliminating incentives that under-  
15 mine responsible post-consumer materials  
16 management practices and lead to im-  
17 proper waste disposal practices and leak-  
18 age;

19 (v) building the capacity of coun-  
20 tries—

21 (I) to monitor, regulate, and  
22 manage waste, post-consumer mate-  
23 rials and plastic waste, and pollution  
24 appropriately and transparently, in-

1 including imports of plastic waste from  
2 the United States and other countries;

3 (II) to encourage private invest-  
4 ment in post-consumer materials man-  
5 agement; and

6 (III) to encourage private invest-  
7 ment, grow opportunities, and develop  
8 markets for recyclable, reusable, and  
9 repurposed plastic waste and post-con-  
10 sumer materials, and products with  
11 high levels of recycled plastic content,  
12 at both national and local levels; and

13 (vi) promoting safe and affordable re-  
14 usable alternatives to disposable plastic  
15 products, to the extent practicable; and

16 (D) to research, identify, and facilitate op-  
17 portunities to promote collection and proper  
18 disposal of damaged or derelict fishing gear.

19 (b) OFFICIALS SPECIFIED.—The officials specified in  
20 this subsection are the following:

21 (1) The United States Trade Representative.

22 (2) The Under Secretary.

23 (3) The EPA Administrator.

24 (4) The Director of the Trade and Development  
25 Agency.

1           (5) The President and the Board of Directors  
2           of the Overseas Private Investment Corporation or  
3           the Chief Executive Officer and the Board of Direc-  
4           tors of the United States International Development  
5           Finance Corporation, as appropriate.

6           (6) The Chief Executive Officer and the Board  
7           of Directors of the Millennium Challenge Corpora-  
8           tion.

9           (7) The heads of such other agencies as the  
10          Secretary of State considers appropriate.

11          (c) **PRIORITIZATION.**—In carrying out subsection (a),  
12 the officials specified in subsection (b) shall prioritize as-  
13 sistance to countries with, and regional organizations in  
14 regions with—

15           (1) rapidly developing economies; and

16           (2) rivers and coastal areas that are the most  
17          severe sources of marine debris, as identified by the  
18          best available science.

19          (d)       **EFFECTIVENESS        MEASUREMENT.**—In  
20 prioritizing and expediting efforts and assistance under  
21 this section, the officials specified in subsection (b) shall  
22 use clear, accountable, and metric-based targets to meas-  
23 ure the effectiveness of guarantees and assistance in  
24 achieving the policy described in section 2.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion may be construed to authorize the modification of or  
3 the imposition of limits on the portfolios of any agency  
4 or institution led by an official specified in subsection (b).

5 **SEC. 4. UNITED STATES LEADERSHIP IN INTERNATIONAL**  
6 **FORA.**

7 In implementing the policy described in section 2, the  
8 President shall direct the United States representatives to  
9 appropriate international bodies and conferences (includ-  
10 ing the United Nations Environment Programme, the As-  
11 sociation of Southeast Asian Nations, the Asia Pacific  
12 Economic Cooperation, the Group of 7, the Group of 20,  
13 the Organization for Economic Co-Operation and Develop-  
14 ment (OECD), and the Our Ocean Conference) to use the  
15 voice, vote, and influence of the United States, consistent  
16 with the broad foreign policy goals of the United States,  
17 to advocate that each such body—

18 (1) commit to significantly increasing efforts to  
19 promote investment in well-designed post-consumer  
20 materials management and plastic waste elimination  
21 and mitigation projects and services that increase  
22 access to safe post-consumer materials management  
23 and mitigation services, in partnership with the pri-  
24 vate sector and consistent with the constraints of  
25 other countries;



1 (B) the use of safe and affordable reusable  
2 alternatives to disposable plastic products, to  
3 the extent practicable; or

4 (C) beneficial reuse of solid waste, plastic  
5 waste, post-consumer materials, plastic prod-  
6 ucts, and refuse;

7 (5) use clear, accountable, and metric-based  
8 targets to measure the effectiveness of such projects;  
9 and

10 (6) engage international partners in an existing  
11 multilateral forum (or, if necessary, establish  
12 through an international agreement a new multilat-  
13 eral forum) to improve global cooperation on—

14 (A) creating tangible metrics for evaluating  
15 efforts to reduce plastic waste and marine de-  
16bris;

17 (B) developing and implementing best  
18 practices for collecting, disposing, recycling, and  
19 reusing plastic waste and post-consumer mate-  
20 rials, including building capacity for improving  
21 post-consumer materials management at the  
22 national and subnational levels of foreign coun-  
23 tries, particularly countries with little to no  
24 solid waste or post-consumer materials manage-  
25 ment systems, facilities, or policies in place;

1 (C) encouraging the development of stand-  
2 ards and practices, and increasing recycled con-  
3 tent percentage requirements for disposable  
4 plastic products;

5 (D) integrating tracking and monitoring  
6 systems into post-consumer materials manage-  
7 ment systems;

8 (E) fostering research to improve scientific  
9 understanding of—

10 (i) how microfibers and microplastics  
11 may affect marine ecosystems, human  
12 health and safety, and maritime activities;

13 (ii) changes in the amount and re-  
14 gional concentrations of plastic waste in  
15 the ocean, based on scientific modeling and  
16 forecasting;

17 (iii) the role rivers, streams, and other  
18 inland waterways play in serving as con-  
19 duits for mismanaged waste traveling from  
20 land to the ocean;

21 (iv) effective means to eliminate  
22 present and future leakages of plastic  
23 waste into the environment; and

1 (v) other related areas of research the  
2 United States representatives deem nec-  
3 essary;

4 (F) encouraging the World Bank and other  
5 international finance organizations to prioritize  
6 efforts to combat marine debris;

7 (G) collaborating on technological advances  
8 in post-consumer materials management and  
9 recycled plastics;

10 (H) growing economic opportunities and  
11 developing markets for recyclable, reusable, and  
12 repurposed plastic waste and post-consumer  
13 materials and other efforts that support the cir-  
14 cular economy; and

15 (I) advising foreign countries, at both the  
16 national and subnational levels, on the develop-  
17 ment and execution of regulatory policies, serv-  
18 ices, including recycling and reuse of plastic,  
19 and laws pertaining to reducing the creation  
20 and the collection and safe management of—

21 (i) solid waste;

22 (ii) post-consumer materials;

23 (iii) plastic waste; and

24 (iv) marine debris.



1 **SEC. 5. ENHANCING INTERNATIONAL OUTREACH AND**  
2 **PARTNERSHIP OF UNITED STATES AGENCIES**  
3 **INVOLVED IN MARINE DEBRIS ACTIVITIES.**

4 (a) FINDINGS.—Congress recognizes the success of  
5 the marine debris program of the National Oceanic and  
6 Atmospheric Administration and the Trash-Free Waters  
7 program of the Environmental Protection Agency.

8 (b) AUTHORIZATION OF EFFORTS TO BUILD FOR-  
9 EIGN PARTNERSHIPS.—The Under Secretary and the  
10 EPA Administrator shall work with the Secretary of State  
11 and the Administrator of the United States Agency for  
12 International Development to build partnerships, as ap-  
13 propriate, with the governments of foreign countries and  
14 to support international efforts to combat marine debris.

15 **SEC. 6. NEGOTIATION OF NEW INTERNATIONAL AGREE-**  
16 **MENTS.**

17 Not later than 1 year after the date of the enactment  
18 of this Act, the Secretary of State shall submit to Con-  
19 gress a report—

20 (1) assessing the potential for negotiating new  
21 international agreements or creating a new inter-  
22 national forum to reduce land-based sources of ma-  
23 rine debris and derelict fishing gear, consistent with  
24 section 4;

25 (2) describing the provisions that could be in-  
26 cluded in such agreements; and

1           (3) assessing potential parties to such agree-  
2           ments.

3 **SEC. 7. CONSIDERATION OF MARINE DEBRIS IN NEGOTI-**  
4 **ATING INTERNATIONAL AGREEMENTS.**

5           In negotiating any relevant international agreement  
6 with any country or countries after the date of the enact-  
7 ment of this Act, the President shall, as appropriate—

8           (1) consider the impact of land-based sources of  
9           plastic waste and other solid waste from that coun-  
10          try on the marine and aquatic environment; and

11          (2) ensure that the agreement strengthens ef-  
12          forts to eliminate land-based sources of plastic waste  
13          and other solid waste from that country that impact  
14          the marine and aquatic environment.