

**§ 4106. Funding and additional authorities**

**(a) Funding**

The Administrator shall carry out this chapter using existing amounts appropriated or otherwise made available to the Administration.

**(b) Additional authorities**

In carrying out this chapter, the Administrator may—

- (1) enter into contracts, cooperative agreements, and other transactions with any domestic or foreign government;
- (2) notwithstanding section 1342 of title 31, accept donations and voluntary and uncompensated services;
- (3) accept funds from other Federal departments and agencies;
- (4) utilize the National Oceanographic Partnership Program established under chapter 665 of title 10 to accept funds from other Federal departments and agencies, to accept donations, and to enter into contracts and award grants;
- (5) under an agreement entered into under paragraph (1), transfer funds appropriated to carry out this chapter to any organization; and
- (6) use, with their consent, with or without reimbursement, and subject to the availability of appropriations, the land, services, equipment, personnel, and facilities of—
  - (A) any department, agency, or instrumentality of the United States;
  - (B) any State or local government or tribal government; or
  - (C) any foreign government or international organization.

(Pub. L. 115-394, § 7, Dec. 21, 2018, 132 Stat. 5286.)

**CHAPTER 55—SAVE OUR SEAS 2.0**

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**§ 4201. Definitions**

In this chapter:

**(1) Circular economy**

The term “circular economy” means an economy that uses a systems-focused approach and involves industrial processes and economic activities that—

- (A) are restorative or regenerative by design;
- (B) enable resources used in such processes and activities to maintain their highest values for as long as possible; and
- (C) aim for the elimination of waste through the superior design of materials, products, and systems (including business models).

**(2) EPA Administrator**

The term “EPA Administrator” means the Administrator of the Environmental Protection Agency.

**(3) Indian Tribe**

The term “Indian Tribe” has the meaning given the term “Indian tribe” in section 5304 of title 25, without regard to capitalization.

**(4) Interagency Marine Debris Coordinating Committee**

The term “Interagency Marine Debris Coordinating Committee” means the Interagency Marine Debris Coordinating Committee established under section 1954 of this title.

**(5) Marine debris**

The term “marine debris” has the meaning given that term in section 1956 of this title.

**(6) Marine debris event**

The term “marine debris event” means an event or related events that affects or may imminently affect the United States involving—

- (A) marine debris caused by a natural event, including a tsunami, flood, landslide, hurricane, or other natural source;
- (B) distinct, nonrecurring marine debris, including derelict vessel groundings and container spills, that have immediate or long-term impacts on habitats with high ecological, economic, or human-use values; or
- (C) marine debris caused by an intentional or grossly negligent act or acts that causes substantial economic or environmental harm.

**(7) 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 5304 of title 25);
- (E) a foreign government;
- (F) a private for-profit entity;
- (G) a nonprofit organization; or
- (H) a private individual.

**(8) Nonprofit organization**

The term “nonprofit organization” means an organization that is described in section 501(c) of title 26 and exempt from tax under section 501(a) of such title.

**(9) 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) 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) 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.

(Pub. L. 116–224, § 2, Dec. 18, 2020, 134 Stat. 1073.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 116–224, Dec. 18, 2020, 134 Stat. 1072, known as the Save Our Seas 2.0 Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 116–224, §1(a), Dec. 18, 2020, 134 Stat. 1072, provided that: “This Act [enacting this chapter and section 1959 of this title and amending sections 1951 and 1958 of this title] may be cited as the ‘Save Our Seas 2.0 Act’.”

SUBCHAPTER I—COMBATING MARINE DEBRIS

PART A—MARINE DEBRIS FOUNDATION

**§ 4211. Establishment and purposes of Foundation**

**(a) Establishment**

There is established the Marine Debris Foundation (in this subchapter referred to as the “Foundation”). The Foundation is a charitable and nonprofit organization 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 1952 of this title, 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, 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;<sup>1</sup> and

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

(Pub. L. 116–224, title I, §111, Dec. 18, 2020, 134 Stat. 1075.)

**Editorial Notes**

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this title”, meaning title I of Pub. L. 116–224, Dec. 18, 2020, 134 Stat. 1074, which is classified principally to this subchapter. For complete classification of title I to the Code, see Tables.

Title II, referred to in subsec. (b)(4), means title II of Pub. L. 116–224, which is classified generally to subchapter II of this chapter, but probably should have been a reference to subtitle C of title I of Pub. L. 116–224, which is classified generally to part B of this subchapter and relates to the Genius Prize for Save Our Seas Innovations.

<sup>1</sup> See References in Text note below.