

**Calendar No. 367**112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1119****[Report No. 112-161]**

To reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 26, 2011

Mr. INOUE (for himself, Mr. ROCKEFELLER, Mr. BEGICH, Ms. SNOWE, Ms. MURKOWSKI, Ms. CANTWELL, Mr. KERRY, Mr. WHITEHOUSE, Mrs. BOXER, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

APRIL 25, 2012

Reported by Mr. ROCKEFELLER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

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**A BILL**

To reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, 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 “Trash Free Seas Act  
3 of 2011”.

4 **SEC. 2. MODIFICATION OF PURPOSES OF MARINE DEBRIS  
5 RESEARCH, PREVENTION, AND REDUCTION  
6 ACT.**

7 Section 2 of the Marine Debris Research, Prevention,  
8 and Reduction Act (33 U.S.C. 1951) is amended—

9 (1) by striking paragraph (1) and inserting the  
10 following:

11 “(1) to address the adverse impacts of marine  
12 debris on the marine environment, navigation safety,  
13 and the United States economy through research,  
14 source identification, assessment, reduction, removal,  
15 and prevention;” and

16 (2) in paragraph (3), by inserting “and main-  
17 tain” after “to develop”.

18 **SEC. 3. REVISION OF NATIONAL OCEANIC AND ATMOS-  
19 PHERIC ADMINISTRATION MARINE DEBRIS  
20 PROGRAM.**

21 (a) RENAMING OF PROGRAM.—

22 (1) IN GENERAL.—Subsection (a) of section 3  
23 of the Marine Debris Research, Prevention, and Re-  
24 duction Act (33 U.S.C. 1952) is amended by strik-  
25 ing “Marine Debris Prevention and Removal Pro-  
26 gram” and inserting “Marine Debris Program”.

1           (2) CLERICAL AMENDMENT.—Such section is  
2 amended in the heading by striking “**PREVENTION**  
3 **AND REMOVAL**”.

4           (3) CONFORMING AMENDMENT.—Paragraph (7)  
5 of section 7 of such Act (33 U.S.C. 1956) is amend-  
6 ed by striking “Marine Debris Prevention and Re-  
7 moval Program” and inserting “Marine Debris Pro-  
8 gram”.

9           (b) EXPANSION OF PROGRAM PURPOSES.—Sub-  
10 section (a) of section 3 of such Act (33 U.S.C. 1952), as  
11 amended by subsection (a)(1), is further amended—

12           (1) by striking “reduce and prevent” and in-  
13 serting “research, assess, reduce, and prevent”; and

14           (2) by striking “and navigation safety.” and in-  
15 serting “, navigation safety, and the United States  
16 economy.”.

17           (c) REVISION OF PROGRAM COMPONENTS.—Sub-  
18 section (b) of such section is amended by striking para-  
19 graphs (1) through (3) and inserting the following:

20           “(1) RESEARCH AND ASSESSMENT.—The Ad-  
21 ministrator shall, in consultation with relevant Fed-  
22 eral agencies, undertake marine debris research and  
23 assessment, reduction and prevention efforts, with a  
24 focus on marine debris posing a threat to living ma-  
25 rine resources, the marine environment, navigation

1 safety, or the United States economy including the  
2 following:

3 “(A) Research and assessment of derelict  
4 fishing gear.

5 “(B) Research and assessment of plastics,  
6 with respect to the health of the marine envi-  
7 ronment.

8 “(C) The establishment of a process for  
9 maintaining an inventory of marine debris types  
10 and their impacts found in the navigable waters  
11 of the United States and the United States ex-  
12 clusive economic zone, including impacts on liv-  
13 ing marine resources, the marine environment,  
14 navigation safety, and the United States econ-  
15 omy.

16 “(D) Measures to identify the origin, loca-  
17 tion, and projected movement of marine debris  
18 within United States navigable waters, the  
19 United States exclusive economic zone, and the  
20 high seas, including the use of oceanographic,  
21 atmospheric, satellite, and remote sensing data.

22 “(2) PREVENT, REDUCE, AND REMOVE OCCUR-  
23 RENCE AND IMPACTS.—The Administrator shall un-  
24 dertake efforts to prevent, reduce, and remove the  
25 occurrence and impacts of marine debris, including

1 the adverse impacts of derelict fishing gear, includ-  
2 ing by—

3 “(A) working with other Federal agencies  
4 to address land-based sources of marine debris;

5 “(B) conducting research and development  
6 of alternatives to gear posing threats to the ma-  
7 rine environment, and methods for marking  
8 gear used in specific fisheries to enhance the  
9 tracking, recovery, and identification of lost and  
10 discarded gear;

11 “(C) developing effective nonregulatory  
12 measures and incentives to cooperatively reduce  
13 the volume of lost and discarded fishing gear  
14 and to aid in its recovery;

15 “(D) developing and implementing strate-  
16 gies, methods, priorities, and a plan for track-  
17 ing, preventing and removing marine debris  
18 that is in, or likely to enter, United States navi-  
19 gable waters or the United States exclusive eco-  
20 nomic zone, including the development of local  
21 or regional protocols for removal of derelict  
22 fishing gear and other marine debris;

23 “(E) providing national and regional co-  
24 ordination to assist States, Indian tribes, and

1 regional organizations in addressing local ma-  
2 rine debris issues;

3 “(F) promoting international action to re-  
4 duce the incidence of marine debris; and

5 “(G) developing and disseminating tools  
6 and products related to the activities described  
7 in subparagraphs (A) through (E).

8 “(3) OUTREACH AND EDUCATION.—

9 “(A) IN GENERAL.—The Administrator  
10 shall undertake outreach and education of the  
11 public and other stakeholders, such as the fish-  
12 ing industry, fishing gear manufacturers, other  
13 marine-dependent industries, and the plastic  
14 and waste management industries, on sources  
15 of marine debris, threats associated with marine  
16 debris, and approaches to identify, determine  
17 sources of, assess, reduce, remove, and prevent  
18 marine debris and its adverse impacts on the  
19 marine environment, navigation safety, and the  
20 United States economy, including outreach and  
21 education activities through public-private ini-  
22 tiatives.

23 “(B) COORDINATION.—The Administrator  
24 shall coordinate outreach and education activi-  
25 ties under this paragraph with any outreach

1 programs conducted under section 2204 of the  
 2 Marine Plastic Pollution Research and Control  
 3 Act of 1987 (33 U.S.C. 1915).”.

4 (d) MODIFICATION OF REQUIREMENT TO PRESCRIBE  
 5 CRITERIA AND GUIDELINES FOR GRANT PROGRAM.—  
 6 Paragraph (5) of subsection (c) of such section is amended  
 7 to read as follows:

8 “(5) GRANT CRITERIA AND GUIDELINES.—Ap-  
 9 plicants for and recipients of grants awarded under  
 10 this subsection shall comply with such criteria and  
 11 guidelines as the Administrator shall prescribe to  
 12 carry out the provisions of this subsection.”.

13 **SEC. 4. EXPANSION OF FEDERAL INFORMATION CLEARING-**  
 14 **HOUSE.**

15 Section 6 of the Marine Debris Research, Prevention,  
 16 and Reduction Act (33 U.S.C. 1955) is amended—

17 (1) in paragraph (1), by striking “and moni-  
 18 toring efforts” and inserting “monitoring efforts,  
 19 and best practices”; and

20 (2) in paragraph (2), by inserting “or other for-  
 21 profit industries” after “the fishing industry”.

22 **SEC. 5. DEFINITION OF MARINE DEBRIS.**

23 (a) IN GENERAL.—Section 7 of the Marine Debris  
 24 Research, Prevention, and Reduction Act (33 U.S.C.

1 1956), as amended by section 3(a)(3), is further amended  
 2 by adding at the end the following:

3           “(9) MARINE DEBRIS.—The term ‘marine de-  
 4 bris’ means any persistent solid material that is  
 5 manufactured or processed and directly or indirectly,  
 6 intentionally or unintentionally, disposed of or aban-  
 7 doned into the marine environment or the Great  
 8 Lakes.”.

9           (b) CONFORMING AND TECHNICAL AMENDMENT.—  
 10 Section 5 of such Act (33 U.S.C. 1954) is amended to  
 11 read as follows:

12 **“SEC. 5. BIENNIAL PROGRESS REPORTS OF THE INTER-**  
 13 **AGENCY MARINE DEBRIS COORDINATING**  
 14 **COMMITTEE.**

15           “(a) IN GENERAL.—Not less frequently than once  
 16 every 2 years, the Interagency Marine Debris Coordi-  
 17 nating Committee established pursuant to section 2203(a)  
 18 of the Marine Plastic Pollution Research and Control Act  
 19 of 1987 (33 U.S.C. 1914(a)) (in this section referred to  
 20 as the ‘Interagency Committee’) shall, acting through the  
 21 chairperson of the Interagency Committee, submit to the  
 22 Committee on Commerce, Science, and Transportation of  
 23 the Senate and the Committee on Transportation and In-  
 24 frastructure and the Committee on Natural Resources of  
 25 the House of Representatives a report that evaluates



1 United States and international progress in meeting the  
2 purposes of this Act.

3 “(b) CONTENTS.—Each report submitted pursuant to  
4 subsection (a) shall include the following:

5 “(1) The status of implementation of any rec-  
6 ommendations and strategies of the Interagency  
7 Committee and analysis of their effectiveness.

8 “(2) A summary of the marine debris inventory  
9 to be maintained by the National Oceanic and At-  
10 mospheric Administration.

11 “(3) A review of the Marine Debris Program  
12 established by section 3, including projects funded  
13 and accomplishments relating to reduction and pre-  
14 vention of marine debris.

15 “(4) A review of Coast Guard programs and ac-  
16 accomplishments relating to marine debris removal, in-  
17 cluding enforcement and compliance with MARPOL  
18 requirements.

19 “(5) Estimated Federal and non-Federal fund-  
20 ing provided for marine debris and recommendations  
21 for priority funding needs.”.

22 **SEC. 6. EXTENSION OF AUTHORIZATION OF APPROPRIA-**  
23 **TIONS.**

24 Section 9 of the Marine Debris Research, Prevention,  
25 and Reduction Act (33 U.S.C. 1958) is amended, in the

1 matter before paragraph (1), by striking “through 2010—  
2 ” and inserting “through 2015—”.

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Trash Free Seas Act*  
5 *of 2011”.*

6 **SEC. 2. MODIFICATION OF PURPOSES OF MARINE DEBRIS**  
7 **RESEARCH, PREVENTION, AND REDUCTION**  
8 **ACT.**

9 *Section 2 of the Marine Debris Research, Prevention,*  
10 *and Reduction Act (33 U.S.C. 1951) is amended—*

11 *(1) by striking paragraph (1) and inserting the*  
12 *following:*

13 *“(1) to address the adverse impacts of marine de-*  
14 *bris on the marine environment, navigation safety,*  
15 *and the United States economy through research,*  
16 *source identification, assessment, reduction, removal,*  
17 *and prevention;”;* and

18 *(2) in paragraph (3), by inserting “and main-*  
19 *tain” after “to develop”.*

20 **SEC. 3. REVISION OF NATIONAL OCEANIC AND ATMOS-**  
21 **PHERIC ADMINISTRATION MARINE DEBRIS**  
22 **PROGRAM.**

23 *(a) RENAMING OF PROGRAM.—*

24 *(1) IN GENERAL.—Subsection (a) of section 3 of*  
25 *the Marine Debris Research, Prevention, and Reduc-*

1        *tion Act (33 U.S.C. 1952) is amended by striking*  
2        *“Marine Debris Prevention and Removal Program”*  
3        *and inserting “Marine Debris Program”.*

4            (2) *CLERICAL AMENDMENT.—Such section is*  
5        *amended in the heading by striking “**PREVENTION***  
6        ***AND REMOVAL**”.*

7            (3) *CONFORMING AMENDMENT.—Paragraph (7)*  
8        *of section 7 of such Act (33 U.S.C. 1956) is amended*  
9        *by striking “Marine Debris Prevention and Removal*  
10       *Program” and inserting “Marine Debris Program”.*

11        (b) *EXPANSION OF PROGRAM PURPOSES.—Subsection*  
12       *(a) of section 3 of such Act (33 U.S.C. 1952), as amended*  
13       *by subsection (a)(1), is further amended—*

14            (1) *by striking “reduce and prevent” and insert-*  
15        *ing “research, assess, reduce, and prevent”; and*

16            (2) *by striking “and navigation safety.” and in-*  
17        *serting “, navigation safety, and the United States*  
18        *economy.”.*

19        (c) *REVISION OF PROGRAM COMPONENTS.—Subsection*  
20       *(b) of such section is amended by striking paragraphs (1)*  
21       *through (3) and inserting the following:*

22            “(1) *RESEARCH AND ASSESSMENT.—The Admin-*  
23        *istrator shall, in consultation with relevant Federal*  
24        *agencies, undertake marine debris research and as-*  
25        *essment, reduction and prevention efforts, with a*

1       *focus on marine debris posing a threat to living ma-*  
2       *rine resources, the marine environment, navigation*  
3       *safety, or the United States economy, including the*  
4       *following:*

5               “(A) *Research and assessment of derelict*  
6               *fishing gear.*

7               “(B) *Research and assessment of plastics,*  
8               *with respect to the health of the marine environ-*  
9               *ment.*

10              “(C) *The establishment of a process for*  
11              *maintaining an inventory of marine debris types*  
12              *and their impacts found in the navigable waters*  
13              *of the United States and the United States exclu-*  
14              *sive economic zone, including impacts on living*  
15              *marine resources, the marine environment, navi-*  
16              *gation safety, and the United States economy.*

17              “(D) *Measures to identify the origin, loca-*  
18              *tion, and projected movement of marine debris*  
19              *within United States navigable waters, the*  
20              *United States exclusive economic zone, and the*  
21              *high seas, including the use of oceanographic, at-*  
22              *mospheric, satellite, and remote sensing data.*

23              “(2) *PREVENT, REDUCE, AND REMOVE OCCUR-*  
24              *RENCE AND IMPACTS.—The Administrator shall un-*  
25              *dertake efforts to prevent, reduce, and remove the oc-*

1 *currence and impacts of marine debris, including the*  
2 *adverse impacts of derelict fishing gear, including*  
3 *by—*

4 *“(A) working with other Federal agencies to*  
5 *address land-based sources of marine debris;*

6 *“(B) conducting research and development*  
7 *of alternatives to gear posing threats to the ma-*  
8 *rine environment, and methods for marking gear*  
9 *used in specific fisheries to enhance the tracking,*  
10 *recovery, and identification of lost and discarded*  
11 *gear;*

12 *“(C) conducting research—*

13 *“(i) related to shoreline resiliency to*  
14 *marine debris impacts; and*

15 *“(ii) for purposes of—*

16 *“(I) navigation safety;*

17 *“(II) protecting living marine re-*  
18 *sources;*

19 *“(III) protecting the marine envi-*  
20 *ronment; or*

21 *“(IV) protecting the economy of*  
22 *the United States;*

23 *“(D) developing effective nonregulatory*  
24 *measures and incentives to cooperatively reduce*

1           *the volume of lost and discarded fishing gear and*  
2           *to aid in its recovery;*

3           “(E) *developing interagency action plans*  
4           *for the preparation for, and timely response to,*  
5           *a severe marine debris event that include—*

6                     “(i) *plans to coordinate State, tribal,*  
7                     *and local governments which respond to*  
8                     *other types of marine debris to ensure ade-*  
9                     *quate, timely, and efficient response;*

10                    “(ii) *utilizing appropriate Federal*  
11                    *agencies and departments, State, tribal, and*  
12                    *local governments, including the Inter-*  
13                    *agency Committee, to assess the unique and*  
14                    *unknown potential impacts of a severe ma-*  
15                    *rine debris event; and*

16                    “(iii) *adequately prioritizing response*  
17                    *needs for a severe marine debris event, in-*  
18                    *cluding assessing—*

19                             “(I) *potential impacts to human*  
20                             *health;*

21                             “(II) *potential impacts to natural*  
22                             *resources;*

23                             “(III) *potential impacts to navi-*  
24                             *gation safety;*

1                   “(IV) potential impacts to live-  
2                   stock and aquaculture health; and

3                   “(V) models capable of projecting  
4                   debris volume and trajectory to allow  
5                   the committee to prioritize and direct  
6                   resources to regional response pro-  
7                   grams;

8                   “(F) carrying out research relating to as-  
9                   sessing the potential economic impacts of severe  
10                  marine debris events on the economies of coastal  
11                  States, including impacts to fishing, shipping,  
12                  transportation, aquaculture, ecotourism, and  
13                  other industries, as the Administrator considers  
14                  appropriate;

15                  “(G) developing and implementing strate-  
16                  gies, methods, priorities, and a plan for tracking,  
17                  preventing, and removing marine debris that is  
18                  in, or likely to enter, United States navigable  
19                  waters or the United States exclusive economic  
20                  zone, including the development of local or re-  
21                  gional protocols for removal of derelict fishing  
22                  gear and other marine debris;

23                  “(H) providing national and regional co-  
24                  ordination to assist States, Indian tribes, and

1 regional organizations in addressing local ma-  
2 rine debris issues;

3 “(I) promoting international action to re-  
4 duce the incidence of marine debris; and

5 “(J) developing and disseminating tools  
6 and products related to the activities described in  
7 subparagraphs (A) through (I).

8 “(3) *OUTREACH AND EDUCATION.*—

9 “(A) *IN GENERAL.*—*The Administrator*  
10 *shall undertake outreach and education of the*  
11 *public and other stakeholders, such as the fishing*  
12 *industry, fishing gear manufacturers, other ma-*  
13 *rine-dependent industries, and the plastic and*  
14 *waste management industries, on sources of ma-*  
15 *rine debris, threats associated with marine de-*  
16 *bris, and approaches to identify, determine*  
17 *sources of, assess, reduce, remove, and prevent*  
18 *marine debris and its adverse impacts on the*  
19 *marine environment, navigation safety, and the*  
20 *United States economy, including outreach and*  
21 *education activities through public-private ini-*  
22 *tiatives.*

23 “(B) *COORDINATION.*—*The Administrator*  
24 *shall coordinate outreach and education activi-*  
25 *ties under this paragraph with any outreach*



1            *programs conducted under section 2204 of the*  
 2            *Marine Plastic Pollution Research and Control*  
 3            *Act of 1987 (33 U.S.C. 1915).”.*

4            *(d) MODIFICATION OF REQUIREMENT TO PRESCRIBE*  
 5            *CRITERIA AND GUIDELINES FOR GRANT PROGRAM.—Para-*  
 6            *graph (5) of subsection (c) of such section is amended to*  
 7            *read as follows:*

8                    *“(5) GRANT CRITERIA AND GUIDELINES.—Appli-*  
 9                    *cants for and recipients of grants awarded under this*  
 10                   *subsection shall comply with such criteria and guide-*  
 11                   *lines as the Administrator shall prescribe to carry out*  
 12                   *the provisions of this subsection.”.*

13    **SEC. 4. EXPANSION OF FEDERAL INFORMATION CLEARING-**  
 14                    **HOUSE.**

15            *Section 6 of the Marine Debris Research, Prevention,*  
 16            *and Reduction Act (33 U.S.C. 1955) is amended—*

17                    *(1) in paragraph (1), by striking “and moni-*  
 18                    *toring efforts” and inserting “monitoring efforts, and*  
 19                    *best practices”; and*

20                    *(2) in paragraph (2), by inserting “or other for-*  
 21                    *profit industries” after “the fishing industry”.*

22    **SEC. 5. DEFINITION OF MARINE DEBRIS.**

23            *(a) IN GENERAL.—Section 7 of the Marine Debris Re-*  
 24            *search, Prevention, and Reduction Act (33 U.S.C. 1956),*

1 *as amended by section 3(a)(3), is further amended by add-*  
 2 *ing at the end the following:*

3           “(9) *MARINE DEBRIS.*—*The term ‘marine debris’*  
 4           *means any persistent solid material that is manufac-*  
 5           *tured or processed and directly or indirectly, inten-*  
 6           *tionally or unintentionally, disposed of or abandoned*  
 7           *into the marine environment or the Great Lakes.*

8           “(10) *SEVERE MARINE DEBRIS EVENT.*—*The*  
 9           *term ‘severe marine debris event’ means a period, as*  
 10           *determined by the Administrator, of atypically large*  
 11           *amounts of marine debris inside, or about to enter,*  
 12           *the United States exclusive economic zone caused*  
 13           *by—*

14                   “(A) *a natural disaster, including a*  
 15                   *tsunamis, flood, landslide, or hurricane; or*

16                   “(B) *any other source, as identified by the*  
 17                   *Administrator.”.*

18           “(b) *CONFORMING AND TECHNICAL AMENDMENT.*—*Sec-*  
 19           *tion 5 of such Act (33 U.S.C. 1954) is amended to read*  
 20           *as follows:*

21           “**SEC. 5. BIENNIAL PROGRESS REPORTS OF THE INTER-**  
 22                   **AGENCY MARINE DEBRIS COORDINATING**  
 23                   **COMMITTEE.**”

24           “(a) *IN GENERAL.*—*Not less frequently than once every*  
 25           *2 years, the Interagency Marine Debris Coordinating Com-*

1 *mittee established pursuant to section 2203(a) of the Marine*  
2 *Plastic Pollution Research and Control Act of 1987 (33*  
3 *U.S.C. 1914(a)) (in this section referred to as the ‘Inter-*  
4 *agency Committee’) shall, acting through the chairperson*  
5 *of the Interagency Committee, submit to the Committee on*  
6 *Commerce, Science, and Transportation of the Senate and*  
7 *the Committee on Transportation and Infrastructure and*  
8 *the Committee on Natural Resources of the House of Rep-*  
9 *resentatives a report that evaluates United States and inter-*  
10 *national progress in meeting the purposes of this Act.*

11       “(b) *CONTENTS.—Each report submitted pursuant to*  
12 *subsection (a) shall include the following:*

13               “(1) *The status of implementation of any rec-*  
14 *ommendations and strategies of the Interagency Com-*  
15 *mittee and analysis of their effectiveness.*

16               “(2) *A summary of the marine debris inventory*  
17 *to be maintained by the National Oceanic and Atmos-*  
18 *pheric Administration.*

19               “(3) *A review of the Marine Debris Program es-*  
20 *tablished by section 3, including projects funded and*  
21 *accomplishments relating to reduction and prevention*  
22 *of marine debris.*

23               “(4) *A review of Coast Guard programs and ac-*  
24 *complishments relating to marine debris removal, in-*

1 *cluding enforcement and compliance with MARPOL*  
2 *requirements.*

3 *“(5) Estimated Federal and non-Federal funding*  
4 *provided for marine debris and recommendations for*  
5 *priority funding needs.”.*

6 **SEC. 6. EXTENSION OF AUTHORIZATION OF APPROPRIA-**  
7 **TIONS.**

8 *Section 9 of the Marine Debris Research, Prevention,*  
9 *and Reduction Act (33 U.S.C. 1958) is amended, in the*  
10 *matter before paragraph (1), by striking “through 2010—*  
11 *” and inserting “through 2016—”.*



Calendar No. 367

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1119**

[Report No. 112-1611]

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**A BILL**

To reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, and for other purposes.

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APRIL 25, 2012

Reported with an amendment