

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1171  
OFFERED BY MR. FLEMING OF LOUISIANA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Marine Debris Act  
3 Amendments of 2012”.

**4 SEC. 2. REFERENCES.**

5 Except as otherwise expressly provided, whenever in  
6 this Act an amendment is expressed as an amendment to  
7 a section or other provision, the reference shall be consid-  
8 ered to be made to a section or other provision of the Ma-  
9 rine Debris Research, Prevention, and Reduction Act (33  
10 U.S.C. 1951 et seq.), as in effect immediately before the  
11 enactment of this Act.

**12 SEC. 3. SHORT TITLE AMENDMENT.**

13 Section 1 (33 U.S.C. 1951 note) is amended by strik-  
14 ing “Research, Prevention, and Reduction”.

**15 SEC. 4. PURPOSE.**

16 Section 2 (33 U.S.C. 1951) is amended to read as  
17 follows:

1 **“SEC. 2. PURPOSE.**

2 “The purpose of this Act is to address the adverse  
3 impacts of marine debris on the United States economy,  
4 the marine environment, and navigation safety through  
5 identification, determination of sources, assessment, pre-  
6 vention, reduction, and removal of marine debris.”.

7 **SEC. 5. NOAA MARINE DEBRIS PROGRAM.**

8 (a) NAME OF PROGRAM.—

9 (1) IN GENERAL.—Section 3 (33 U.S.C. 1952)  
10 is amended—

11 (A) in the section heading by striking  
12 **“PREVENTION AND REMOVAL”**; and

13 (B) in subsection (a)—

14 (i) by striking “Prevention and Re-  
15 moval Program to reduce and prevent”  
16 and inserting “Program to identify, deter-  
17 mine sources of, assess, prevent, reduce,  
18 and remove”; and

19 (ii) by inserting “the economy of the  
20 United States,” after “marine debris on”;  
21 and

22 (iii) by inserting a comma after “envi-  
23 ronment”.

24 (2) CONFORMING AMENDMENT.—Paragraph (7)  
25 of section 7 (33 U.S.C. 1956) is amended by strik-  
26 ing “Prevention and Removal”.

1 (b) PROGRAM COMPONENTS.—Section 3(b) (33  
2 U.S.C. 1952(b)) is amended to read as follows:

3 “(b) PROGRAM COMPONENTS.—The Administrator,  
4 acting through the Program and subject to the availability  
5 of appropriations, shall—

6 “(1) identify, determine sources of, assess, pre-  
7 vent, reduce, and remove marine debris, with a focus  
8 on marine debris posing a threat to living marine re-  
9 sources and navigation safety;

10 “(2) provide national and regional coordination  
11 to assist States, Indian tribes, and regional organi-  
12 zations in identification, determination of sources,  
13 assessment, prevention, reduction, and removal of  
14 marine debris;

15 “(3) undertake efforts to reduce adverse im-  
16 pacts of lost and discarded fishing gear on living  
17 marine resources and navigation safety, including—

18 “(A) research and development of alter-  
19 natives to gear posing threats to the marine en-  
20 vironment, and methods for marking gear used  
21 in specific fisheries to enhance the tracking, re-  
22 covery, and identification of lost and discarded  
23 gear; and

24 “(B) development of effective nonregula-  
25 tory measures and incentives to cooperatively

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

3           “(4) undertake outreach and education of the  
4           public and other stakeholders on sources of marine  
5           debris, threats associated with marine debris, and  
6           approaches to identify, determine sources of, assess,  
7           prevent, reduce, and remove marine debris and its  
8           adverse impacts on the United States economy, the  
9           marine environment, and navigational safety, includ-  
10          ing outreach and education activities through public-  
11          private initiatives.”.

12          (c) GRANT CRITERIA AND GUIDELINES.—Section  
13          3(c) (33 U.S.C. 1952(c)) is amended—

14                 (1) in paragraph (1), by striking “section 2(1)”  
15                 and inserting “section 2”;

16                 (2) by repealing paragraph (5); and

17                 (3) by redesignating paragraphs (6) and (7) as  
18                 paragraphs (5) and (6).

19          **SEC. 6. PROGRESS REPORTS.**

20          Section 5(c)(2) (33 U.S.C. 1954(c)(2)) is amended—

21                 (1) by striking “ANNUAL PROGRESS RE-  
22                 PORTS.—” and all that follows through “thereafter”  
23                 and inserting “BIENNIAL PROGRESS REPORTS.—Bi-  
24                 ennially”; and

25                 (2) by inserting “Natural” before “Resources”.

1 **SEC. 7. CONFIDENTIALITY OF SUBMITTED INFORMATION.**

2 Section 6(2) (33 U.S.C. 1955(2)) is amended by  
3 striking “by the fishing industry”.

4 **SEC. 8. MARINE DEBRIS DEFINITION.**

5 Section 7 (33 U.S.C. 1956) is amended—

6 (1) by redesignating paragraph (3) as para-  
7 graph (9), and moving such paragraph to appear  
8 after paragraph (8); and

9 (2) by inserting after paragraph (2) the fol-  
10 lowing:

11 “(3) MARINE DEBRIS.—The term ‘marine de-  
12 bris’ means any persistent solid material that is  
13 manufactured or processed and directly or indirectly,  
14 and intentionally or unintentionally, disposed of or  
15 abandoned into the marine environment or the Great  
16 Lakes.”.

17 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 9 (33 U.S.C. 1958) is amended—

19 (1) by striking “are” and inserting “is”;

20 (2) by striking “2006 through 2010” and all  
21 that follows through “(1)” and inserting “through  
22 fiscal year 2015”; and

23 (3) in paragraph (1), by striking  
24 “\$10,000,000” and inserting “\$4,900,000”.

