

119TH CONGRESS
2D SESSION

S. 5182

To establish a Federal working group for recycled plastic content traceability,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2026

Mr. SCHIFF (for himself, Mr. MERKLEY, Mr. WYDEN, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish a Federal working group for recycled plastic
content traceability, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tracking Plastic Act
5 of 2026”.

6 **SEC. 2. FEDERAL WORKING GROUP FOR RECYCLED PLAS-**
7 **TIC CONTENT TRACEABILITY.**

8 (a) ESTABLISHMENT.—There is established a Fed-
9 eral working group for recycled plastic content traceability
10 (referred to in this section as the “Working Group”).

1 (b) MEMBERS.—

2 (1) IN GENERAL.—The Working Group shall be
3 composed of the following members:

4 (A) A representative of each of the fol-
5 lowing departments and agencies, to be des-
6 ignated by the head of the respective depart-
7 ment or agency:

8 (i) The Environmental Protection
9 Agency.

10 (ii) The Federal Trade Commission.

11 (iii) The Department of Agriculture.

12 (iv) The National Oceanic and Atmos-
13 pheric Administration.

14 (v) The Department of State.

15 (vi) The National Institute of Stand-
16 ards and Technology.

17 (vii) The National Laboratory of the
18 Rockies.

19 (B) 1 or more representatives of each of
20 the following, to be designated jointly by the
21 Administrator of the Environmental Protection
22 Agency and the Secretary of Commerce:

23 (i) Institutions of higher education.

24 (ii) The National Academy of
25 Sciences.

1 (2) INITIAL DESIGNATIONS.—The initial mem-
2 bers of the Working Group shall be designated not
3 later than 90 days after the date of enactment of
4 this Act.

5 (3) LEAD AGENCIES.—In carrying out the du-
6 ties of the Working Group under subsection (c)—

7 (A) the National Institute of Standards
8 and Technology shall lead the Working Group
9 with respect to developing recommendations for
10 recycled plastic content traceability; and

11 (B) the Environmental Protection Agency
12 and the Department of Commerce shall jointly
13 lead the Working Group with respect to all
14 other duties described in that subsection.

15 (c) DUTIES.—The Working Group, in coordination
16 with States, local governments, Indian Tribes, nonprofit
17 organizations, material recovery facilities, plastic reclaim-
18 ers using recycled content, and academic institutions,
19 shall, using the National Recycling Strategy of the Envi-
20 ronmental Protection Agency as a guide—

21 (1) develop recommendations to increase the
22 use of post-consumer resin and, in developing those
23 recommendations, consider—

1 (A) the necessary capacity of and improve-
2 ments to domestic markets for the use of recy-
3 cled plastics generated in the United States;

4 (B) economic benefits of using post-con-
5 sumer resin in recycling; and

6 (C) ways to monitor and measure the pres-
7 ence of toxic chemicals in post-consumer resin
8 content; and

9 (2) develop recommendations to improve the
10 measurement, traceability, and reporting of recycled
11 plastic content in applicable sectors of the economy,
12 including the packaging, construction, infrastruc-
13 ture, and automotive sectors and, in developing
14 those recommendations—

15 (A) develop and establish standardized
16 measurements for data collection relating to re-
17 cycled plastics, which shall, to the extent prac-
18 ticable, be consistent with international stand-
19 ards, such as the Australia National Frame-
20 work for Recycled Content Traceability and
21 standards used in North America and by other
22 trading partners;

23 (B) describe a Federal recycled plastic con-
24 tent tracking system for the purpose of assist-

1 ing in harmonizing State recycled plastic con-
2 tent requirements;

3 (C) consider ways to improve trade data
4 clarity related to recycled plastic content
5 traceability, including reevaluating plastic trade
6 codes for recycled content; and

7 (D) consider ways to improve traceability
8 of plastic marine debris.

9 (d) REPORT.—The Working Group shall submit to
10 Congress and make publicly available annual reports de-
11 scribing the activities of the Working Group during the
12 previous year, including—

13 (1) a summary of any recommendations devel-
14 oped or updated under subsection (c); and

15 (2) a summary of any issues for which rec-
16 ommendations are being considered for development
17 or updating under subsection (c).

18 (e) TERMINATION.—The Working Group shall termi-
19 nate when the Working Group has fulfilled all duties of
20 the Working Group under this Act, which shall be not
21 later than the date that is 10 years after the date on which
22 the Working Group is established.

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