

(Pub. L. 116-224, title II, §201, Dec. 18, 2020, 134 Stat. 1086.)

§ 4262. Prioritization of efforts and assistance to combat marine debris and improve plastic waste management

(a) In general

The Secretary of State shall, in coordination with the Administrator of the United States Agency for International Development, as appropriate, and the officials specified in subsection (b)—

(1) lead and coordinate efforts to implement the policy described in section 4261 of this title; and

(2) develop strategies and implement programs that prioritize engagement and cooperation with foreign governments, subnational and local stakeholders, and the private sector to expedite efforts and assistance in foreign countries—

(A) to partner with, encourage, advise and facilitate national and subnational governments on the development and execution, where practicable, of national projects, programs and initiatives to—

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

(ii) monitor and track how well post-consumer materials management systems are functioning nationwide, based on uniform and transparent standards developed in cooperation with municipal, industrial, and civil society stakeholders;

(iii) identify the operational challenges of post-consumer materials management systems and develop policy and programmatic solutions;

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

(v) conduct outreach campaigns to raise public awareness of the importance of proper waste disposal and the reduction of plastic waste;

(B) to facilitate the involvement of municipalities and industries in improving solid waste reduction, collection, disposal, and reuse and recycling projects, programs, and initiatives;

(C) to partner with and provide technical assistance to investors, and national and local institutions, including private sector actors, to develop new business opportunities and solutions to specifically reduce plastic waste and expand solid waste and post-consumer materials management best practices in foreign countries by—

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

(ii) improving and expanding the capacity of foreign industries to responsibly employ post-consumer materials management practices;

(iii) improving and expanding the capacity and transparency of tracking mecha-

nisms for marine debris to reduce the impacts on the marine environment;

(iv) eliminating incentives that undermine responsible post-consumer materials management practices and lead to improper waste disposal practices and leakage;

(v) building the capacity of countries—

(I) to reduce, monitor, regulate, and manage waste, post-consumer materials and plastic waste, and pollution appropriately and transparently, including imports of plastic waste from the United States and other countries;

(II) to encourage private investment in post-consumer materials management and reduction; and

(III) to encourage private investment, grow opportunities, and develop markets for recyclable, reusable, and repurposed plastic waste and post-consumer materials, and products with high levels of recycled plastic content, at both national and local levels; and

(vi) promoting safe and affordable reusable alternatives to disposable plastic products, to the extent practicable; and

(D) to research, identify, and facilitate opportunities to promote collection and proper disposal of damaged or derelict fishing gear.

(b) Officials specified

The officials specified in this subsection are the following:

(1) The United States Trade Representative.

(2) The Under Secretary.

(3) The EPA Administrator.

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

(5) The President and the Board of Directors of the Overseas Private Investment Corporation or the Chief Executive Officer and the Board of Directors of the United States International Development Finance Corporation, as appropriate.

(6) The Chief Executive Officer and the Board of Directors of the Millennium Challenge Corporation.

(7) The Commandant of the Coast Guard, with respect to pollution from ships.

(8) The heads of such other agencies as the Secretary of State considers appropriate.

(c) Prioritization

In carrying out subsection (a), the officials specified in subsection (b) shall prioritize assistance to countries with, and regional organizations in regions with—

(1) rapidly developing economies; and

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

(d) Effectiveness measurement

In prioritizing and expediting efforts and assistance under this section, the officials specified in subsection (b) shall use clear, accountable, and metric-based targets to measure the effectiveness of guarantees and assistance in achieving the policy described in section 4261 of this title.

(e) Rule of construction

Nothing in this section may be construed to authorize the modification of or the imposition of limits on the portfolios of any agency or institution led by an official specified in subsection (b).

(Pub. L. 116-224, title II, §202, Dec. 18, 2020, 134 Stat. 1087.)

§ 4263. United States leadership in international FORA

In implementing the policy described in section 4261 of this title, the President shall direct the United States representatives to appropriate international bodies and conferences (including the United Nations Environment Programme, the Association of Southeast Asian Nations, the Asia Pacific Economic Cooperation, the Group of 7, the Group of 20, the Organization for Economic Co-Operation and Development (OECD), and the Our Ocean Conference) to use the voice, vote, and influence of the United States, consistent with the broad foreign policy goals of the United States, to advocate that each such body—

(1) commit to significantly increasing efforts to promote investment in well-designed post-consumer materials management and plastic waste elimination and mitigation projects and services that increase access to safe post-consumer materials management and mitigation services, in partnership with the private sector and consistent with the constraints of other countries;

(2) address the post-consumer materials management needs of individuals and communities where access to municipal post-consumer materials management services is historically impractical or cost-prohibitive;

(3) enhance coordination with the private sector—

(A) to increase access to solid waste and post-consumer materials management services;

(B) to utilize safe and affordable alternatives to disposable plastic products, to the extent practicable;

(C) to encourage and incentivize the use of recycled content; and

(D) to grow economic opportunities and develop markets for recyclable, compostable, reusable, and repurposed plastic waste materials and post-consumer materials and other efforts that support the circular economy;

(4) provide technical assistance to foreign regulatory authorities and governments to remove unnecessary barriers to investment in otherwise commercially-viable projects related to—

(A) post-consumer materials management;

(B) the use of safe and affordable alternatives to disposable plastic products; or

(C) beneficial reuse of solid waste, plastic waste, post-consumer materials, plastic products, and refuse;

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

(6) engage international partners in an existing multilateral forum (or, if necessary, establish through an international agreement a new multilateral forum) to improve global cooperation on—

(A) creating tangible metrics for evaluating efforts to reduce plastic waste and marine debris;

(B) developing and implementing best practices at the national and subnational levels of foreign countries, particularly countries with little to no solid waste or post-consumer materials management systems, facilities, or policies in place for—

(i) collecting, disposing, recycling, and reusing plastic waste and post-consumer materials, including building capacity for improving post-consumer materials management; and

(ii) integrating alternatives to disposable plastic products, to the extent practicable;

(C) encouraging the development of standards and practices, and increasing recycled content percentage requirements for disposable plastic products;

(D) integrating tracking and monitoring systems into post-consumer materials management systems;

(E) fostering research to improve scientific understanding of—

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

(ii) changes in the amount and regional concentrations of plastic waste in the ocean, based on scientific modeling and forecasting;

(iii) the role rivers, streams, and other inland waterways play in serving as conduits for mismanaged waste traveling from land to the ocean;

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

(v) other related areas of research the United States representatives deem necessary;

(F) encouraging the World Bank and other international finance organizations to prioritize efforts to reduce plastic waste and combat marine debris;

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

(H) growing economic opportunities and developing markets for recyclable, compostable, reusable, and repurposed plastic waste and post-consumer materials and other efforts that support the circular economy; and

(I) advising foreign countries, at both the national and subnational levels, on the development and execution of regulatory policies, services, including recycling and reuse of plastic, and laws pertaining to reducing the creation and the collection and safe management of—

(i) solid waste;

(ii) post-consumer materials;