

104TH CONGRESS  
2D SESSION

# H. R. 4261

To require the Director of the United States Fish and Wildlife Service to expedite issuance of and implement a contingency plan for responding to red tide events involving Florida manatees, and to authorize the Director to make grants for research and evaluation of potential methods of therapeutic intervention for manatees intoxicated by red tide brevetoxins.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1996

Mr. MILLER of Florida (for himself, Mrs. MEEK of Florida, and Mr. GOSS) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To require the Director of the United States Fish and Wildlife Service to expedite issuance of and implement a contingency plan for responding to red tide events involving Florida manatees, and to authorize the Director to make grants for research and evaluation of potential methods of therapeutic intervention for manatees intoxicated by red tide brevetoxins.

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 “Save Manatees and  
3 Alleviate Red Tide Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) The Florida manatee is a large, gentle ma-  
7 rine mammal whose future survival is endangered.  
8 The United States Fish and Wildlife Service esti-  
9 mated in 1992 that there were 1,856 Florida  
10 manatees. The Florida manatee is endangered pri-  
11 marily because of habitat loss, collisions with  
12 watercraft, and more recently, poisoning from harm-  
13 ful algae blooms commonly referred to as red tide.

14 (2) In 1982, 37 Florida manatees died from in-  
15 gesting accumulations of the toxic dinoflagellate that  
16 composes red tide.

17 (3) In the spring of 1996, the Florida manatee  
18 population experienced a more severe mortality event  
19 in which 158 otherwise young and healthy manatees  
20 were found dead from a mysterious ailment.

21 (4) The scientific community discovered that a  
22 prolonged outbreak of red tide in the Gulf of Mexico  
23 was the cause of the unusual spring 1996 deaths.  
24 The manatees were weakened and killed by exposure  
25 to the brevetoxin produced by red tide.

1           (5) Therapeutic intervention exists for humans  
2           poisoned by brevetoxin. The potential exists for  
3           using antibrevetoxin antibodies to reverse the effects  
4           of red tide on sickened manatees.

5           (6) The Federal Government has an interest  
6           and an obligation to protect the Florida manatee  
7           pursuant to the Marine Mammal Protection Act of  
8           1972 (16 U.S.C. 1361 et seq.) and the Endangered  
9           Species Act of 1973 (16 U.S.C. 1531 et seq.).

10 **SEC. 3. ACTIONS TO PROTECT FLORIDA MANATEE FROM**  
11 **RED TIDE.**

12           (a) ACTIONS BY FISH AND WILDLIFE SERVICE.—  
13 The Director of the United States Fish and Wildlife Serv-  
14 ice (in this section referred to as the “Director”) shall—

15           (1) by not later than one year after the date of  
16           the enactment of this Act, issue a contingency plan  
17           under section 404(b) of the Marine Mammal Protec-  
18           tion Act of 1972 (16 U.S.C. 1421c(b)) for respond-  
19           ing to red tide events involving Florida manatees;  
20           and

21           (2) implement such plan as part of the Florida  
22           manatee recovery program.

23           (b) GRANTS FOR RESEARCH OF THERAPEUTIC  
24 INTERVENTION.—

1           (1) IN GENERAL.—The Director may, subject to  
2           the availability of appropriations, make grants for  
3           research and evaluation of potential methods of  
4           therapeutic intervention for manatees intoxicated by  
5           red tide brevetoxins, including immunotherapy using  
6           antibrevetoxin antibodies. The grants shall be  
7           awarded on a competitive basis and in consultation  
8           with the Marine Mammal Commission, the National  
9           Institute for Environmental Health Sciences, and  
10          the Florida Department of Environmental Protec-  
11          tion.

12           (2) AUTHORIZATION OF APPROPRIATIONS.—For  
13          grants under this subsection, there are authorized to  
14          be appropriated to the Director \$800,000.

15          (c) REVIEW BY COMMISSION.—

16           (1) IN GENERAL.—Not later than 6 months  
17          after the date of the enactment of this Act, the Ma-  
18          rine Mammal Commission shall—

19           (A) conduct a comprehensive review of the  
20           scientific findings of investigations into the  
21           spring 1996 Florida manatee red tide mortality  
22           event;

23           (B) conduct an interdisciplinary conference  
24           to discuss the findings of that review; and

1                   (C) submit to the Congress recommenda-  
2                   tions of actions to protect the Florida manatee  
3                   from red tide events.

4                   (2) AUTHORIZATION OF APPROPRIATIONS.—

5                   There are authorized to be appropriated to the Ma-  
6                   rine Mammal Commission to carry out this sub-  
7                   section \$200,000.

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