

106TH CONGRESS
1ST SESSION

H. R. 1934

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 1999

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To amend the Marine Mammal Protection Act of 1972 to
establish the John H. Prescott Marine Mammal Rescue
Assistance Grant Program.

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 “Marine Mammal Res-
3 cue Assistance Act of 1999”.

4 **SEC. 2. JOHN H. PRESCOTT MARINE MAMMAL RESCUE AS-**
5 **SISTANCE GRANT PROGRAM.**

6 (a) IN GENERAL.—Title IV of the Marine Mammal
7 Protection Act of 1972 (16 U.S.C. 1371 et seq.) is
8 amended—

9 (1) by redesignating sections 408 and 409 as
10 sections 409 and 410, respectively; and

11 (2) by inserting after section 407 the following:

12 **“SEC. 408. JOHN H. PRESCOTT MARINE MAMMAL RESCUE**
13 **ASSISTANCE GRANT PROGRAM.**

14 “(a) IN GENERAL.—(1) Subject to the availability of
15 appropriations, the Secretary shall conduct a grant pro-
16 gram to be known as the John H. Prescott Marine Mam-
17 mal Rescue Assistance Grant Program, to provide grants
18 to eligible stranding network participants for the recovery
19 or treatment of marine mammals, the collection of data
20 from living or dead marine mammals for scientific re-
21 search regarding marine mammal health, and facility op-
22 eration costs that are directly related to those purposes.

23 “(2)(A) The Secretary shall ensure that, to the great-
24 est extent practicable, funds provided as grants under this
25 subsection are distributed equitably among the designated
26 stranding regions.

1 “(B) In determining priorities among such regions,
2 the Secretary may consider—

3 “(i) any episodic stranding or any mortality
4 event other than an event described in section
5 410(6), that occurred in any region in the preceding
6 year; and

7 “(ii) data regarding average annual strandings
8 and mortality events per region.

9 “(b) APPLICATION.—To receive a grant under this
10 section, a stranding network participant shall submit an
11 application in such form and manner as the Secretary may
12 prescribe.

13 “(c) ADVISORY GROUP.—

14 “(1) IN GENERAL.—The Secretary, in consulta-
15 tion with the Marine Mammal Commission, shall es-
16 tablish an advisory group in accordance with this
17 subsection to advise the Secretary regarding the im-
18 plementation of this section, including the award of
19 grants under this section.

20 “(2) MEMBERSHIP.—The advisory group shall
21 consist of a representative from each of the des-
22 ignated stranding regions and other individuals who
23 represent public and private organizations that are
24 actively involved in rescue, rehabilitation, release,

1 scientific research, marine conservation, and forensic
2 science regarding stranded marine mammals.

3 “(3) PUBLIC PARTICIPATION.—

4 “(A) MEETINGS.—The advisory group
5 shall—

6 “(i) ensure that each meeting of the
7 advisory group is open to the public; and

8 “(ii) provide, at each meeting of the
9 advisory group, an opportunity for inter-
10 ested persons to present oral or written
11 statements concerning items on the agenda
12 for the meeting.

13 “(B) NOTICE.—The Secretary shall pro-
14 vide to the public timely notice of each meeting
15 of the advisory group.

16 “(C) MINUTES.—The Secretary shall keep
17 and make available to the public minutes of
18 each meeting of the advisory group.

19 “(4) EXEMPTION.—The Federal Advisory Com-
20 mittee Act (5 U.S.C. App.) shall not apply to the es-
21 tablishment and activities of an advisory group in
22 accordance with this subsection.

23 “(d) LIMITATION.—The amount of a grant under this
24 section shall not exceed \$100,000.

25 “(e) MATCHING REQUIREMENT.—

1 “(1) IN GENERAL.—The non-Federal share of
2 the costs of an activity conducted with a grant under
3 this section shall be 25 percent of such costs.

4 “(2) IN-KIND CONTRIBUTIONS.—The Secretary
5 may apply to the non-Federal share of an activity
6 conducted with a grant under this section the
7 amount of funds, and the fair market value of prop-
8 erty and services, provided by non-Federal sources
9 and used for the activity.

10 “(f) ADMINISTRATIVE EXPENSES.—Of amounts
11 available each fiscal year to carry out this section, the Sec-
12 retary may expend not more than 6 percent to pay the
13 administrative expenses necessary to carry out this sec-
14 tion.

15 “(g) DEFINITIONS.—In this section:

16 “(1) DESIGNATED STRANDING REGION.—The
17 term ‘designated stranding region’ means a geo-
18 graphic region designated by the Secretary for pur-
19 poses of administration of this title.

20 “(2) SECRETARY.—The term ‘Secretary’ has
21 the meaning given that term in section 3(12)(A).

22 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Secretary to carry
24 out this section \$5,000,000 for each of fiscal years 2001
25 through 2003, to remain available until expended.”.

1 (b) CONFORMING AMENDMENT.—Section 3(12)(B)
2 of the Marine Mammal Protection Act of 1972 (16 U.S.C.
3 1362(12)(B)) is amended by inserting “(other than sec-
4 tion 408)” after “title IV”.

5 (c) CLERICAL AMENDMENT.—The table of contents
6 in the first section of the Marine Mammal Protection Act
7 of 1972 (86 Stat. 1027) is amended by striking the items
8 relating to sections 408 and 409 and inserting the fol-
9 lowing:

“Sec. 408. John H. Prescott Marine Mammal Rescue Assistance Grant Pro-
gram.

“Sec. 409. Authorization of appropriations.

“Sec. 410. Definitions.”.

Passed the House of Representatives September 27,
1999.

Attest:

JEFF TRANDAHL,

Clerk.