

116TH CONGRESS
1ST SESSION

S. _____

To amend the Marine Mammal Protection Act of 1972 to reauthorize and modify the John H. Prescott Marine Mammal Rescue and Response Grant Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. CANTWELL introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Marine Mammal Protection Act of 1972 to reauthorize and modify the John H. Prescott Marine Mammal Rescue and Response Grant Program, 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 “Marine Mammal Re-
5 search and Response Act of 2019”.

6 **SEC. 2. DATA COLLECTION AND DISSEMINATION.**

7 Section 402 of the Marine Mammal Protection Act
8 of 1972 (16 U.S.C. 1421a) is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (1)(A), by inserting “or
3 entangled” after “stranded”;

4 (B) in paragraph (3)—

5 (i) by striking “strandings,” and in-
6 serting “strandings and entanglements, in-
7 cluding unusual mortality events,”;

8 (ii) by inserting “stranding” before
9 “region”; and

10 (iii) by striking “marine mammals;
11 and” and inserting “marine mammals and
12 entangled marine mammals to allow com-
13 parison of the causes of illness and deaths
14 in stranded marine mammals and entan-
15 gled marine mammals with physical, chem-
16 ical, and biological environmental param-
17 eters; and”;

18 (C) in paragraph (4), by striking “anal-
19 yses, that would allow comparison of the causes
20 of illness and deaths in stranded marine mam-
21 mals with physical, chemical, and biological en-
22 vironmental parameters.” and inserting “anal-
23 yses.”; and

24 (2) by striking subsection (c) and inserting the
25 following:

1 “(c) DATA AVAILABILITY.—

2 “(1) IN GENERAL.—The Secretary shall develop
3 a program to make information, including any data
4 and metadata collected under subsection (b), avail-
5 able to researchers, stranding network participants,
6 and the public—

7 “(A) to improve real-time coordination of
8 response to stranding and entanglement events
9 across geographic areas and between stranding
10 coordinators;

11 “(B) to identify and quickly disseminate
12 information on potential public health risks;

13 “(C) to facilitate integrated interdiscipli-
14 nary research;

15 “(D) to facilitate peer-reviewed publica-
16 tions;

17 “(E) to archive regional data into 1 na-
18 tional database for future analyses; and

19 “(F) for education and outreach activities.

20 “(2) PUBLIC ACCESS.—The Secretary shall en-
21 sure that—

22 “(A) all information, including data and
23 metadata, collected under subsection (b) is
24 archived in a form that is readily accessible and
25 understandable to, and can be easily shared

1 with, the public, as appropriate, through the
2 Marine Mammal Health Monitoring and Anal-
3 ysis Platform (Health MAP); and

4 “(B) not later than 60 days after the date
5 on which any information, including any data
6 and metadata collected under paragraph (1),
7 (2), or (3) of subsection (b), is collected, that
8 information is made readily available to strand-
9 ing network participants, other qualified sci-
10 entists, employees of the Federal Government,
11 and the public through the Health MAP and
12 the Observation System.

13 “(d) DATA REPORTING REQUIREMENTS.—The Sec-
14 retary shall require each stranding network participant to
15 submit to the Administrator of the National Oceanic and
16 Atmospheric Administration, for inclusion in the Health
17 MAP—

18 “(1) NOAA Form 89–864 (OMB #0648–0178)
19 and NOAA Form 89–878 (OMB #0648–0178), or
20 similar successor forms, not later than 30 days after
21 the date of a response to a stranding or entangle-
22 ment event;

23 “(2) the information, including any data and
24 metadata described in paragraphs (1) and (2) of
25 subsection (b), not later than 30 days after the date

1 on which the information is available or updated, as
2 applicable; and

3 “(3) the information, including any data and
4 metadata described in paragraphs (3) and (4) of
5 subsection (b), not later than 30 days after the date
6 on which the stranding network responds to a
7 stranding or entanglement event.”.

8 **SEC. 3. STRANDING OR ENTANGLEMENT RESPONSE AGREE-**
9 **MENTS.**

10 (a) IN GENERAL.—Section 403 of the Marine Mam-
11 mal Protection Act of 1972 (16 U.S.C. 1421b) is amend-
12 ed—

13 (1) in the section heading by inserting “**OR EN-**
14 **TANGLEMENT**” before “**RESPONSE**”; and

15 (2) in subsection (a), by striking the period at
16 the end and inserting “or entanglement.”.

17 (b) TABLE OF CONTENTS AMENDMENT.—The table
18 of contents in the first section of the Marine Mammal Pro-
19 tection Act of 1972 (Public Law 92–522; 86 Stat. 1027)
20 is amended by striking the item related to section 403 and
21 inserting the following:

“Sec. 403. Stranding or entanglement response agreements.”.

22 **SEC. 4. UNUSUAL MORTALITY EVENT ACTIVITY FUNDING.**

23 Section 405 the Marine Mammal Protection Act of
24 1972 (16 U.S.C. 1421d) is amended—

1 (1) by striking subsection (b) and inserting the
2 following:

3 “(b) USES.—Amounts in the Fund—

4 “(1) shall be available only for use by the Sec-
5 retary, in consultation with the Secretary of the In-
6 terior, and dispersed among claimants based on
7 budgets approved by the Secretary prior to expendi-
8 ture—

9 “(A) to make advance, partial, or progress
10 payments under contracts or other funding
11 mechanisms for property, supplies, salaries,
12 services, and travel costs incurred in acting in
13 accordance with the contingency plan issued
14 under section 404(b) or under the direction of
15 an Onsite Coordinator for an unusual mortality
16 event designated under section
17 404(a)(2)(B)(iii);

18 “(B) for reimbursing any stranding net-
19 work participant for costs incurred in the collec-
20 tion, preparation, analysis, and transportation
21 of marine mammal tissues and samples col-
22 lected with respect to an unusual mortality
23 event for the Tissue Bank; and

1 “(C) for the care and maintenance of a
2 marine mammal seized under section
3 104(c)(2)(D); and

4 “(2) shall remain available until expended.”;
5 and

6 (2) in subsection (c)—

7 (A) in paragraph (2), by striking “and” at
8 the end;

9 (B) in paragraph (3), by striking the pe-
10 riod at the end and inserting a semicolon; and

11 (C) by adding at the end the following:

12 “(4) except as provided by section 1000(a)(3)
13 of division B of the of the Act entitled “An Act mak-
14 ing consolidated appropriations for the fiscal year
15 ending September 30, 2000, and for other pur-
16 poses”, approved November 29, 1999 (16 U.S.C.
17 1375a), sums collected as fines, penalties, or forfeit-
18 ures of property for violations of any provision of
19 this Act;

20 “(5) sums received from emergency declaration
21 grants for marine mammal conservation; and

22 “(6) not more than \$750,000 per fiscal year, as
23 determined by the Secretary of Commerce and the
24 Secretary of the Interior, from each of the amounts

1 appropriated to the Secretary or the Secretary of the
2 Interior for carrying out this Act.”.

3 **SEC. 5. LIABILITY.**

4 Section 406(a) of the Marine Mammal Protection Act
5 of 1972 (16 U.S.C. 1421e(a)) is amended, in the matter
6 preceding paragraph (1)—

7 (1) by inserting “or entanglement” after “to a
8 stranding”; and

9 (2) by striking “government” and inserting
10 “Government”.

11 **SEC. 6. NATIONAL MARINE MAMMAL TISSUE BANK AND TIS-**
12 **SUE ANALYSIS.**

13 Section 407 of the Marine Mammal Protection Act
14 of 1972 (16 U.S.C. 1421f) is amended—

15 (1) in subsection (c)(2)(A), by striking “the
16 health of marine mammals and” and inserting “ma-
17 rine mammal health and mortality and the health
18 of”; and

19 (2) in subsection (d), in the matter preceding
20 paragraph (1), by inserting “public” before “ac-
21 cess”.

1 **SEC. 7. JOHN H. PRESCOTT MARINE MAMMAL RESCUE AND**
2 **RESPONSE GRANT PROGRAM AND RAPID RE-**
3 **SPONSE FUND.**

4 (a) IN GENERAL.—Section 408 of the Marine Mam-
5 mal Protection Act of 1972 (16 U.S.C. 1421f-1) is
6 amended to read as follows:

7 **“SEC. 408. JOHN H. PRESCOTT MARINE MAMMAL RESCUE**
8 **AND RESPONSE GRANT PROGRAM AND RAPID**
9 **RESPONSE FUND.**

10 “(a) DEFINITION OF EMERGENCY ASSISTANCE.—

11 “(1) IN GENERAL.—In this section, the term
12 ‘emergency assistance’ means—

13 “(A) financial assistance provided to re-
14 spond to, or that results from, a stranding
15 event or entanglement event that—

16 “(i) causes an immediate increase in
17 the cost of a response, recovery, or reha-
18 bilitation that is greater than the usual
19 cost of a response, recovery, or rehabilita-
20 tion;

21 “(ii) is cyclical or endemic; and

22 “(iii) involves a marine mammal that
23 is out of the normal range for that marine
24 mammal; or

25 “(B) financial assistance provided to re-
26 spond to, or that results from, a stranding

1 event or an entanglement event that the Sec-
2 retary considers to be an emergency.

3 “(2) EXCLUSIONS.—The term ‘emergency as-
4 sistance’ does not include financial assistance to re-
5 spond to an unusual mortality event.

6 “(b) JOHN H. PRESCOTT MARINE MAMMAL RESCUE
7 AND RESPONSE GRANT PROGRAM.—

8 “(1) IN GENERAL.—Subject to the availability
9 of appropriations or other funding, the Secretary
10 shall carry out a grant program, to be known as the
11 ‘John H. Prescott Marine Mammal Rescue and Re-
12 sponse Grant Program’ (referred to in this section
13 as the ‘grant program’), to award grants to eligible
14 stranding network participants or stranding network
15 collaborators, as described in this subsection.

16 “(2) PURPOSES.—The purposes of the grant
17 program are to provide for—

18 “(A) the recovery, care, or treatment of
19 sick, injured, or entangled marine mammals;

20 “(B) responses to marine mammal strand-
21 ing events that require emergency assistance;

22 “(C) the collection of data and samples
23 from living or dead stranded marine mammals
24 for scientific research or assessments regarding
25 marine mammal health;

1 “(D) facility operating costs that are di-
2 rectly related to activities described in subpara-
3 graph (A), (B), or (C); and

4 “(E) development of stranding network ca-
5 pacity, including training for emergency re-
6 sponse, where facilities do not exist or are
7 sparse.

8 “(3) CONTRACT, GRANT, AND COOPERATIVE
9 AGREEMENT AUTHORITY.—The Secretary may enter
10 into a contract, grant, or cooperative agreement with
11 any eligible stranding network participant or strand-
12 ing network collaborator, as the Secretary deter-
13 mines to be appropriate, for the purposes described
14 in paragraph (2).

15 “(4) EQUITABLE DISTRIBUTION OF FUNDS.—

16 “(A) IN GENERAL.—The Secretary shall
17 ensure, to the extent practicable, that funds
18 awarded under the grant program are distrib-
19 uted equitably among the stranding regions.

20 “(B) CONSIDERATIONS.—In determining
21 priorities among the stranding regions under
22 this paragraph, the Secretary may consider—

23 “(i) any episodic stranding, entangle-
24 ment, or mortality events, except for un-

1 usual mortality events, that occurred in
2 any stranding region in the preceding year;

3 “(ii) any data with respect to average
4 annual stranding, entanglements, and mor-
5 tality events per stranding region;

6 “(iii) the size of the marine mammal
7 populations inhabiting a stranding region;
8 and

9 “(iv) the conservation of protected,
10 depleted, threatened, or endangered marine
11 mammal species.

12 “(5) APPLICATION.—To be eligible for a grant
13 under the grant program, a stranding network par-
14 ticipant shall—

15 “(A) submit an application in such form
16 and manner as the Secretary prescribes; and

17 “(B) be in compliance with the data re-
18 porting requirements under section 402(d).

19 “(6) GRANT CRITERIA.—The Secretary and the
20 Secretary of the Interior shall, in consultation with
21 the Marine Mammal Commission, a representative
22 from each of the stranding regions, and other indi-
23 viduals who represent public and private organiza-
24 tions that are actively involved in rescue, rehabilita-
25 tion, release, scientific research, marine conserva-

1 tion, and forensic science with respect to stranded
2 marine mammals, develop criteria for awarding
3 grants under the grant program.

4 “(7) LIMITATIONS.—

5 “(A) MAXIMUM GRANT AMOUNT.—No
6 grant made under the grant program for a sin-
7 gle project may exceed \$150,000 in any 12-
8 month period.

9 “(B) UNEXPENDED FUNDS.—Any funds
10 that have been awarded under the grant pro-
11 gram but that are unexpended at the end of the
12 12-month period described in subparagraph (A)
13 shall remain available until expended.

14 “(C) LIMITATION.—A new grant may not
15 be awarded to a project until the funds of a
16 previous grant are expended.

17 “(8) MATCHING REQUIREMENT.—The non-Fed-
18 eral share of the costs of a project conducted with
19 funds awarded under the grant program shall be not
20 less than 25 percent of the costs of that project.

21 “(9) ADMINISTRATIVE COSTS AND EXPENSES.—
22 The Secretary’s administrative costs and expenses
23 related to reviewing and awarding grants under the
24 grant program, in any fiscal year may not exceed
25 the greater of—

1 “(A) 6 percent of the amounts made avail-
2 able each fiscal year to carry out the grant pro-
3 gram; or

4 “(B) \$80,000.

5 “(c) JOHN H. PRESCOTT MARINE MAMMAL RESCUE
6 AND RAPID RESPONSE FUND.—

7 “(1) IN GENERAL.—There is established in the
8 Treasury of the United States an interest-bearing
9 fund, to be known as the ‘John H. Prescott Marine
10 Mammal Rescue and Rapid Response Fund’ (re-
11 ferred to in this section as the ‘Rapid Response
12 Fund’).

13 “(2) USE OF FUNDS.—Amounts in the Rapid
14 Response Fund shall be available only for use by the
15 Secretary to provide emergency assistance.

16 “(3) MATCHING REQUIREMENT.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), the non-Federal share of the
19 costs of an activity conducted with amounts
20 from the Rapid Response Fund shall be not less
21 than 25 percent of the costs.

22 “(B) WAIVER.—The Secretary may waive
23 the matching requirement under subparagraph
24 (A) for emergency assistance.

1 “(C) IN-KIND CONTRIBUTIONS.—In deter-
2 mining whether the requirement under subpara-
3 graph (A) is met, the Secretary may apply to
4 the non-Federal share of an activity conducted
5 with amounts from the Rapid Response Fund
6 the amount of funds and the fair market value
7 of property and services provided by non-Fed-
8 eral sources and used for the activity.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—There is authorized to be
11 appropriated to carry out the grant program
12 \$7,000,000 for each of fiscal years 2020 through
13 2025, to remain available until expended, of which
14 for each fiscal year—

15 “(A) \$6,000,000 shall be made available to
16 the Secretary of Commerce; and

17 “(B) \$1,000,000 shall be made available to
18 the Secretary of the Interior.

19 “(2) JOHN H. PRESCOTT MARINE MAMMAL RES-
20 CUE AND RAPID RESPONSE FUND.—

21 “(A) AUTHORIZATION OF APPROPRIA-
22 TIONS.—There is authorized to be appropriated
23 to the Rapid Response Fund \$500,000 for each
24 of fiscal years 2020 through 2025.

1 “(B) TRANSFER OF FUNDS.—In addition
2 to amounts appropriated pursuant to an au-
3 thorization of appropriations under subpara-
4 graph (A), there shall be deposited into the
5 Fund not more than \$500,000 for each fiscal
6 year (as determined by the Secretary) from
7 amounts appropriated to the Secretary for car-
8 rying out this title and other titles of this Act.

9 “(C) AVAILABILITY OF FUNDS.—Amounts
10 in the Fund shall remain available until ex-
11 pended, without regard to any law related to
12 the negotiation, award, or administration of any
13 contract, grant, or cooperative agreement.

14 “(e) ACCEPTANCE OF DONATIONS.—For the pur-
15 poses of carrying out this section, the Secretary may so-
16 licit, accept, receive, hold, administer, and use gifts, de-
17 vises, and bequests without any further approval or ad-
18 ministrative action.”.

19 (b) TABLE OF CONTENTS AMENDMENT.—The table
20 of contents in the first section of the Marine Mammal Pro-
21 tection Act of 1972 (Public Law 92–522; 86 Stat. 1027)
22 (as amended by section 3(b)) is amended by striking the
23 item related to section 408 and inserting the following:

“Sec. 408. John H. Prescott Marine Mammal Rescue and Response Grant Pro-
gram and Rapid Response Fund.”.

1 **SEC. 8. HEALTH MAP.**

2 (a) IN GENERAL.—Title IV of the Marine Mammal
3 Protection Act of 1972 (16 U.S.C. 1421 et seq.) is amend-
4 ed by inserting after section 408 the following:

5 **“SEC. 408A. MARINE MAMMAL HEALTH MONITORING AND**
6 **ANALYSIS PLATFORM (HEALTH MAP).**

7 “(a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of the Marine Mammal Research and
9 Response Act of 2019, the Secretary, acting through the
10 Administrator of the National Oceanic and Atmospheric
11 Administration, in consultation with the Secretary of the
12 Interior and the Marine Mammal Commission, shall—

13 “(1) establish a marine mammal health moni-
14 toring and analysis platform (referred to in this Act
15 as the ‘Health MAP’);

16 “(2) incorporate the Health MAP into the Ob-
17 servation System; and

18 “(3) make the Health MAP—

19 “(A) publicly accessible through the web
20 portal of the Observation System; and

21 “(B) interoperable with other national data
22 systems or other data systems for management
23 or research purposes, as practicable.

24 “(b) PURPOSES.—The purposes of the Health MAP
25 are—

26 “(1) to promote—

1 “(A) interdisciplinary research among indi-
2 viduals with knowledge and experience in ma-
3 rine mammal science, marine mammal veteri-
4 nary and husbandry practices, medical science,
5 and oceanography, and with other marine sci-
6 entists;

7 “(B) timely and sustained dissemination
8 and availability of marine mammal health,
9 stranding, entanglement, and mortality data;

10 “(C) identification of spatial and temporal
11 patterns of marine mammal mortality, disease,
12 and stranding;

13 “(D) evaluation of marine mammal health
14 in terms of mortality, as well as sublethal ma-
15 rine mammal health impacts;

16 “(E) improved collaboration and fore-
17 casting of marine mammal and larger eco-
18 system health events;

19 “(F) rapid communication and dissemina-
20 tion of information regarding marine mammal
21 strandings that may have implications for
22 human health, such as those caused by harmful
23 algal blooms; and

1 “(G) increased accessibility of data in a
2 user friendly visual interface for public edu-
3 cation and outreach; and

4 “(2) to contribute to an ocean health index that
5 incorporates marine mammal health data.

6 “(c) REQUIREMENTS.—The Health MAP shall—

7 “(1) integrate in situ, remote, and other marine
8 mammal health, stranding, and mortality data, in-
9 cluding visualizations and metadata, collected by
10 marine mammal stranding networks, Federal, State,
11 local, and Tribal governments, private partners, and
12 academia; and

13 “(2) be designed—

14 “(A) to enhance data and information
15 availability, including data sharing among
16 stranding network participants, scientists, and
17 the public within and across stranding network
18 regions;

19 “(B) to facilitate data and information ac-
20 cess across scientific disciplines, scientists, and
21 managers;

22 “(C) to facilitate public access to national
23 and regional marine mammal health, stranding,
24 entanglement, and mortality data, including vis-
25 ualizations and metadata, through the national

1 and regional data portals of the Observation
2 System; and

3 “(D) in collaboration with, and with input
4 from, States and stranding network partici-
5 pants.

6 “(d) PROCEDURES AND GUIDELINES.—The Sec-
7 retary shall establish and implement policies, protocols,
8 and standards for—

9 “(1) reporting marine mammal health data col-
10 lected by stranding networks consistent with sub-
11 sections (c) and (d) of section 402;

12 “(2) promptly transmitting health data from
13 the stranding networks and other appropriate data
14 providers to the Health MAP;

15 “(3) disseminating and making publicly avail-
16 able data on marine mammal health, stranding, en-
17 tanglement, and mortality data in a timely and sus-
18 tained manner; and

19 “(4) integrating additional marine mammal
20 health, stranding, or other relevant data as the Sec-
21 retary determines appropriate.

22 “(e) CONSULTATION.—The Administrator of the Na-
23 tional Oceanic and Atmospheric Administration shall
24 maintain and update the Health MAP in consultation with

1 the Secretary of the Interior and the Marine Mammal
2 Commission.

3 “(f) CONTRIBUTIONS.—For purposes of carrying out
4 this section, the Secretary may solicit, accept, receive,
5 hold, administer, and use gifts, devises, and bequests with-
6 out any further approval or administrative action.”.

7 (b) TABLE OF CONTENTS AMENDMENT.—The table
8 of contents in the first section of the Marine Mammal Pro-
9 tection Act of 1972 (Public Law 92–522; 86 Stat. 1027)
10 (as amended by section 7(b)) is amended by inserting after
11 the item related to section 408 the following:

“Sec. 408A. Health MAP.”.

12 **SEC. 9. REPORTS TO CONGRESS.**

13 (a) IN GENERAL.—Title IV of the Marine Mammal
14 Protection Act of 1972 (16 U.S.C. 1421 et seq.) (as
15 amended by section 8(a)) is amended by inserting after
16 section 408A the following:

17 **“SEC. 408B. REPORTS TO CONGRESS.**

18 “(a) DEFINITION OF APPROPRIATE COMMITTEES OF
19 CONGRESS.—In this section, the term ‘appropriate com-
20 mittees of Congress’ means—

21 “(1) the Committee on Commerce, Science, and
22 Transportation of the Senate;

23 “(2) the Committee on Natural Resources of
24 the House of Representatives; and

1 “(3) the Committee on Science, Space, and
2 Technology of the House of Representatives.

3 “(b) HEALTH MAP STATUS REPORT.—

4 “(1) IN GENERAL.—Not later than 2 year after
5 the date of enactment of the Marine Mammal Re-
6 search and Response Act of 2019, the Administrator
7 of the National Oceanic and Atmospheric Adminis-
8 tration, in consultation with the Marine Mammal
9 Commission, the Secretary of the Interior, and the
10 National Ocean Research Leadership Council, shall
11 submit to the appropriate committees of Congress a
12 report describing the status of the Health MAP.

13 “(2) REQUIREMENTS.—The report under para-
14 graph (1) shall include—

15 “(A) a detailed evaluation of the data
16 made publically available through the Health
17 MAP;

18 “(B) a detailed list of any gaps in data col-
19 lected pursuant to the Health MAP, a descrip-
20 tion of the reasons for those gaps, and rec-
21 ommended actions to close those gaps;

22 “(C) an analysis of the effectiveness of
23 using the website of the Observation System as
24 the platform to collect, organize, visualize, ar-

1 chive, and disseminate marine mammal strand-
2 ing and health data;

3 “(D) a list of publications, presentations,
4 or other relevant work product resulting from,
5 or produced in collaboration with, the Health
6 MAP;

7 “(E) a description of emerging marine
8 mammal health concerns and the applicability
9 of those concerns to human health;

10 “(F) an analysis of the feasibility of the
11 Observation System being used as an alert sys-
12 tem during stranding events, entanglement
13 events, and unusual mortality events for the
14 stranding network, Observation System part-
15 ners, Health MAP partners, Federal and State
16 agencies, and local and Tribal governments;

17 “(G) an evaluation of the use of Health
18 MAP data to predict broader ecosystem events
19 and changes that may impact marine mammal
20 or human health and specific examples of prov-
21 en or potential uses of Observation System data
22 for those purposes; and

23 “(H) recommendations for the Health
24 MAP with respect to—

25 “(i) filling any identified data gaps;

1 “(ii) standards that could be used to
2 improve data quality, accessibility, trans-
3 mission, interoperability, and sharing;

4 “(iii) any other strategies that would
5 contribute to the effectiveness and useful-
6 ness of the Health MAP; and

7 “(iv) the funding levels needed to
8 maintain and improve the Health MAP.

9 “(c) DATA GAP ANALYSIS.—

10 “(1) IN GENERAL.—Not later than 5 years
11 after the date on which the report required under
12 subsection (b)(1) is submitted, and every 5 years
13 thereafter, the Administrator of the National Oce-
14 anic and Atmospheric Administration, in consulta-
15 tion with the Marine Mammal Commission and the
16 Secretary of the Interior, shall submit to the appro-
17 priate committees of Congress a data gap analysis,
18 as described in paragraph (2).

19 “(2) REQUIREMENTS.—The data gap analysis
20 under paragraph (1) shall include—

21 “(A) an overview of existing participants
22 within a marine mammal stranding network;

23 “(B) an identification of coverage needs
24 and participant gaps within a network;

1 “(C) an identification of data and report-
2 ing gaps from members of a network; and

3 “(D) an analysis of how stranding and
4 health data are shared and made available to
5 scientists, academics, State, local, and Tribal
6 governments, and the public.

7 “(d) RESCUE AND RESPONSE CAPABILITIES IN THE
8 ARCTIC.—

9 “(1) IN GENERAL.—Not later than 1 year after
10 the date of enactment of the Marine Mammal Re-
11 search and Response Act of 2019, the Administrator
12 of the National Oceanic and Atmospheric Adminis-
13 tration, in consultation with the Marine Mammal
14 Commission and the Director of the United States
15 Fish and Wildlife Service, shall submit to the appro-
16 priate committees of Congress a report describing
17 the response capabilities for sick and injured marine
18 mammals in the Arctic regions of the United States.

19 “(2) REQUIREMENTS.—The report under para-
20 graph (1) shall include—

21 “(A) a description of all stranding agree-
22 ments in place in the Arctic regions of the
23 United States, including species covered, re-
24 sponse capabilities, facilities, and data collection
25 and analysis capabilities;

1 “(B) a list of State and local government
2 agencies that have personnel trained to respond
3 to strandings in the Arctic regions of the
4 United States;

5 “(C) an assessment of potential response
6 and data collection partners and sources of
7 local information and knowledge, including
8 Alaska Native people and villages;

9 “(D) an analysis of spatial and temporal
10 trends in strandings in response to changing
11 environmental conditions in the Arctic regions
12 of the United States and the relationships to
13 unusual mortality events involving other spe-
14 cies, including birds and fish;

15 “(E) a description of training and other
16 resource needs to meet emerging response re-
17 quirements in the Arctic regions of the United
18 States;

19 “(F) an analysis of oiled marine mammal
20 and bird response and rehabilitation capabilities
21 in the Arctic regions of the United States, in-
22 cluding equipment, facilities, training, and hus-
23 bandry capabilities, and an assessment of likely
24 success rates; and

1 “(G) recommendations to address future
2 stranding response needs in the Arctic regions
3 of the United States.”.

4 (b) TABLE OF CONTENTS AMENDMENT.—The table
5 of contents in the first section of the Marine Mammal Pro-
6 tection Act of 1972 (Public Law 92–522; 86 Stat. 1027)
7 (as amended by section 8(b)) is amended by inserting after
8 the item related to section 408A the following:

 “Sec. 408B. Reports to Congress.”.

9 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 409 of the Marine Mammal Protection Act
11 of 1972 (16 U.S.C. 1421g) is amended—

12 (1) in paragraph (1), by striking “1993 and
13 1994;” and inserting “2020 through 2025;”;

14 (2) in paragraph (2), by striking “1993 and
15 1994;” and inserting “2020 through 2025;” and

16 (3) in paragraph (3), by striking “fiscal year
17 1993.” and inserting “for each of fiscal years 2020
18 through 2025.”.

19 **SEC. 11. DEFINITIONS.**

20 Section 410 of the Marine Mammal Protection Act
21 of 1972 (16 U.S.C. 1421h) is amended—

22 (1) by redesignating paragraphs (1) through
23 (6) as paragraphs (2), (5), (6), (7), (9), and (10),
24 respectively;

1 (2) by inserting before paragraph (2) (as so re-
2 designated) the following:

3 “(1) The term ‘entangle’ or ‘entanglement’
4 means an event in the wild in which a living or dead
5 marine mammal has gear, rope, line, net, or other
6 material wrapped around or attached to the marine
7 mammal and is—

8 “(A) on a beach or shore of the United
9 States; or

10 “(B) in navigable waters of the United
11 States.”;

12 (3) in paragraph (2) (as so redesignated) by
13 striking “The term” and inserting “Except as used
14 in section 408, the term”;

15 (4) by inserting after paragraph (2) (as so re-
16 designated) the following:

17 “(3) The term ‘Health MAP’ means the Marine
18 Mammal Health Monitoring and Analysis Platform
19 established under section 408A(a)(1).

20 “(4) The term ‘Observation System’ means the
21 National Integrated Coastal and Ocean Observation
22 System established under section 12304 of the Inte-
23 grated Coastal and Ocean Observation System Act
24 of 2009 (33 U.S.C. 3603).”; and

1 (5) by inserting after paragraph (7) (as so re-
2 designated) the following:

3 “(8) The term ‘stranding region’ means a geo-
4 graphic region designated by the Secretary for pur-
5 poses of administration of this Act.”.

6 **SEC. 12. STUDY ON MARINE MAMMAL MORTALITY.**

7 (a) IN GENERAL.—Not later than 6 months after the
8 date of enactment of this Act, the Secretary of Commerce
9 shall make appropriate arrangements with the National
10 Academies of Sciences, Engineering, and Medicine under
11 which the National Academies shall conduct a study re-
12 garding the connection between marine heat waves, harm-
13 ful algal blooms, prey availability, habitat degradation,
14 and marine mammal mortality. The study shall evaluate
15 how ocean heat waves impact harmful algae blooms, avail-
16 ability of prey, and habitat degradation.

17 (b) REPORT.—In entering into an arrangement under
18 subsection (a), the Secretary of Commerce shall request
19 that the National Academies transmit to Congress a re-
20 port containing the results of the study described in sub-
21 section (a). The report shall include recommendations for
22 policies needed to mitigate and respond to mortality
23 events.