

*Cantwell-substitute (as modified)**Maria Cantwell*

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**S. 2802**

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Ms. Cantwell

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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—

9 (1) in subsection (b)—

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

1 (B) in paragraph (3)—

2 (i) by striking “strandings,” and in-
3 serting “strandings and entanglements, in-
4 cluding unusual mortality events,”;

5 (ii) by inserting “stranding” before
6 “region”; and

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

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

21 (2) by striking subsection (c) and inserting the
22 following:

23 “(c) DATA AVAILABILITY.—

24 “(1) IN GENERAL.—The Secretary shall develop
25 a program to make information, including any data

1 and metadata collected under subsection (b), avail-
2 able to researchers, stranding network participants,
3 and the public—

4 “(A) to improve real-time coordination of
5 response to stranding and entanglement events
6 across geographic areas and between stranding
7 coordinators;

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

10 “(C) to facilitate integrated interdiscipli-
11 nary research;

12 “(D) to facilitate peer-reviewed publica-
13 tions;

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

16 “(F) for education and outreach activities.

17 “(2) PUBLIC ACCESS.—The Secretary shall en-
18 sure that—

19 “(A) all information, including data and
20 metadata, collected under subsection (b) is
21 archived in a form that is readily accessible and
22 understandable to, and can be easily shared
23 with, the public, as appropriate, through the
24 Marine Mammal Health Monitoring and Anal-
25 ysis Platform (Health MAP); and

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

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

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

20 “(2) the information, including any data and
21 metadata described in paragraphs (1) and (2) of
22 subsection (b), not later than 30 days after the date
23 on which the information is available or updated, as
24 applicable; and

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

6 **SEC. 3. STRANDING OR ENTANGLEMENT RESPONSE AGREE-**
7 **MENTS.**

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

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

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

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

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

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

21 Section 405 the Marine Mammal Protection Act of
22 1972 (16 U.S.C. 1421d) is amended—

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

25 “(b) **USES.**—Amounts in the Fund—

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

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

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

21 “(C) for the care and maintenance of a
22 marine mammal seized under section
23 104(e)(2)(D); and

24 “(2) shall remain available until expended.”;

25 and

1 (2) in subsection (c)—

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

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

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

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

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

17 “(6) not more than \$750,000 per fiscal year, as
18 determined by the Secretary of Commerce and the
19 Secretary of the Interior, from each of the amounts
20 appropriated to the Secretary or the Secretary of the
21 Interior for carrying out this Act.”.

22 **SEC. 5. LIABILITY.**

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

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

3 (2) by striking “government” and inserting
4 “Government”.

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

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

9 (1) in subsection (c)(2)(A), by striking “the
10 health of marine mammals and” and inserting “ma-
11 rine mammal health and mortality and the health
12 of”; and

13 (2) in subsection (d), in the matter preceding
14 paragraph (1), by inserting “public” before “ac-
15 cess”.

16 **SEC. 7. JOHN H. PRESCOTT MARINE MAMMAL RESCUE AND**
17 **RESPONSE GRANT PROGRAM AND RAPID RE-**
18 **SPONSE FUND.**

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

22 **“SEC. 408. JOHN H. PRESCOTT MARINE MAMMAL RESCUE**
23 **AND RESPONSE GRANT PROGRAM AND RAPID**
24 **RESPONSE FUND.**

25 **“(a) DEFINITION OF EMERGENCY ASSISTANCE.—**

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

3 “(A) financial assistance provided to re-
4 spond to, or that results from, a stranding
5 event or entanglement event that—

6 “(i) causes an immediate increase in
7 the cost of a response, recovery, or reha-
8 bilitation that is greater than the usual
9 cost of a response, recovery, or rehabilita-
10 tion;

11 “(ii) is cyclical or endemic; and

12 “(iii) involves a marine mammal that
13 is out of the normal range for that marine
14 mammal; or

15 “(B) financial assistance provided to re-
16 spond to, or that results from, a stranding
17 event or an entanglement event that the Sec-
18 retary considers to be an emergency.

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

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

24 “(1) IN GENERAL.—Subject to the availability
25 of appropriations or other funding, the Secretary

1 shall carry out a grant program, to be known as the
2 'John H. Prescott Marine Mammal Rescue and Re-
3 sponse Grant Program' (referred to in this section
4 as the 'grant program'), to award grants to eligible
5 stranding network participants or stranding network
6 collaborators, as described in this subsection.

7 "(2) PURPOSES.—The purposes of the grant
8 program are to provide for—

9 "(A) the recovery, care, or treatment of
10 sick, injured, or entangled marine mammals;

11 "(B) responses to marine mammal strand-
12 ing events that require emergency assistance;

13 "(C) the collection of data and samples
14 from living or dead stranded marine mammals
15 for scientific research or assessments regarding
16 marine mammal health;

17 "(D) facility operating costs that are di-
18 rectly related to activities described in subpara-
19 graph (A), (B), or (C); and

20 "(E) development of stranding network ca-
21 pacity, including training for emergency re-
22 sponse, where facilities do not exist or are
23 sparse.

24 "(3) CONTRACT, GRANT, AND COOPERATIVE
25 AGREEMENT AUTHORITY.—The Secretary may enter

1 into a contract, grant, or cooperative agreement with
2 any eligible stranding network participant or strand-
3 ing network collaborator, as the Secretary deter-
4 mines to be appropriate, for the purposes described
5 in paragraph (2).

6 “(4) EQUITABLE DISTRIBUTION OF FUNDS.—

7 “(A) IN GENERAL.—The Secretary shall
8 ensure, to the extent practicable, that funds
9 awarded under the grant program are distrib-
10 uted equitably among the stranding regions.

11 “(B) CONSIDERATIONS.—In determining
12 priorities among the stranding regions under
13 this paragraph, the Secretary may consider—

14 “(i) any episodic stranding, entangle-
15 ment, or mortality events, except for un-
16 usual mortality events, that occurred in
17 any stranding region in the preceding year;

18 “(ii) any data with respect to average
19 annual stranding, entanglements, and mor-
20 tality events per stranding region;

21 “(iii) the size of the marine mammal
22 populations inhabiting a stranding region;

23 “(iv) the importance of the region’s
24 marine mammal populations to the well-
25 being of indigenous communities; and

1 “(v) the conservation of protected, de-
2 pleted, threatened, or endangered marine
3 mammal species.

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

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

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

11 “(6) GRANT CRITERIA.—The Secretary and the
12 Secretary of the Interior shall, in consultation with
13 the Marine Mammal Commission, a representative
14 from each of the stranding regions, and other indi-
15 viduals who represent public and private organiza-
16 tions that are actively involved in rescue, rehabilita-
17 tion, release, scientific research, marine conserva-
18 tion, and forensic science with respect to stranded
19 marine mammals, develop criteria for awarding
20 grants under the grant program.

21 “(7) LIMITATIONS.—

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

1 “(B) UNEXPENDED FUNDS.—Any funds
2 that have been awarded under the grant pro-
3 gram but that are unexpended at the end of the
4 12-month period described in subparagraph (A)
5 shall remain available until expended.

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

10 “(9) ADMINISTRATIVE COSTS AND EXPENSES.—
11 The Secretary’s administrative costs and expenses
12 related to reviewing and awarding grants under the
13 grant program, in any fiscal year may not exceed
14 the greater of—

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

18 “(B) \$80,000.

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

21 “(1) IN GENERAL.—There is established in the
22 Treasury of the United States an interest-bearing
23 fund, to be known as the ‘John H. Prescott Marine
24 Mammal Rescue and Rapid Response Fund’ (re-

1 ferred to in this section as the ‘Rapid Response
2 Fund’).

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

6 “(3) MATCHING REQUIREMENT.—

7 “(A) IN GENERAL.—Except as provided in
8 subparagraph (B), the non-Federal share of the
9 costs of an activity conducted with amounts
10 from the Rapid Response Fund shall be not less
11 than 25 percent of the costs.

12 “(B) WAIVER.—The Secretary may waive
13 the matching requirement under subparagraph
14 (A) for emergency assistance.

15 “(C) IN-KIND CONTRIBUTIONS.—In deter-
16 mining whether the requirement under subpara-
17 graph (A) is met, the Secretary may apply to
18 the non-Federal share of an activity conducted
19 with amounts from the Rapid Response Fund
20 the amount of funds and the fair market value
21 of property and services provided by non-Fed-
22 eral sources and used for the activity.

23 “(d) AUTHORIZATION OF APPROPRIATIONS.—

24 “(1) IN GENERAL.—There is authorized to be
25 appropriated to carry out the grant program

1 \$7,000,000 for each of fiscal years 2020 through
2 2025, to remain available until expended, of which
3 for each fiscal year—

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

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

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

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

14 “(B) TRANSFER OF FUNDS.—In addition
15 to amounts appropriated pursuant to an au-
16 thorization of appropriations under subpara-
17 graph (A), there shall be deposited into the
18 Fund not more than \$500,000 for each fiscal
19 year (as determined by the Secretary) from
20 amounts appropriated to the Secretary for car-
21 rying out this title and other titles of this Act.

22 “(C) AVAILABILITY OF FUNDS.—Amounts
23 in the Fund shall remain available until ex-
24 pended, without regard to any law related to

1 the negotiation, award, or administration of any
2 contract, grant, or cooperative agreement.

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

8 (b) TABLE OF CONTENTS AMENDMENT.—The table
9 of contents in the first section of the Marine Mammal Pro-
10 tection Act of 1972 (Public Law 92–522; 86 Stat. 1027)
11 (as amended by section 3(b)) is amended by striking the
12 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.”.

13 **SEC. 8. HEALTH MAP.**

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

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

19 “(a) IN GENERAL.—Not later than 1 year after the
20 date of enactment of the Marine Mammal Research and
21 Response Act of 2019, the Secretary, acting through the
22 Administrator of the National Oceanic and Atmospheric
23 Administration, in consultation with the Secretary of the
24 Interior and the Marine Mammal Commission, shall—

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

4 “(2) incorporate the Health MAP into the Ob-
5 servation System; and

6 “(3) make the Health MAP—

7 “(A) publicly accessible through the web
8 portal of the Observation System; and

9 “(B) interoperable with other national data
10 systems or other data systems for management
11 or research purposes, as practicable.

12 “(b) PURPOSES.—The purposes of the Health MAP
13 are—

14 “(1) to promote—

15 “(A) interdisciplinary research among indi-
16 viduals with knowledge and experience in ma-
17 rine mammal science, marine mammal veteri-
18 nary and husbandry practices, medical science,
19 and oceanography, and with other marine sci-
20 entists;

21 “(B) timely and sustained dissemination
22 and availability of marine mammal health,
23 stranding, entanglement, and mortality data;

1 “(C) identification of spatial and temporal
2 patterns of marine mammal mortality, disease,
3 and stranding;

4 “(D) evaluation of marine mammal health
5 in terms of mortality, as well as sublethal ma-
6 rine mammal health impacts;

7 “(E) improved collaboration and fore-
8 casting of marine mammal and larger eco-
9 system health events;

10 “(F) rapid communication and dissemina-
11 tion of information regarding marine mammal
12 strandings that may have implications for
13 human health, such as those caused by harmful
14 algal blooms; and

15 “(G) increased accessibility of data in a
16 user friendly visual interface for public edu-
17 cation and outreach; and

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

20 “(e) REQUIREMENTS.—The Health MAP shall—

21 “(1) integrate in situ, remote, and other marine
22 mammal health, stranding, and mortality data, in-
23 cluding visualizations and metadata, collected by
24 marine mammal stranding networks, Federal, State,

1 local, and Tribal governments, private partners, and
2 academia; and

3 “(2) be designed—

4 “(A) to enhance data and information
5 availability, including data sharing among
6 stranding network participants, scientists, and
7 the public within and across stranding network
8 regions;

9 “(B) to facilitate data and information ac-
10 cess across scientific disciplines, scientists, and
11 managers;

12 “(C) to facilitate public access to national
13 and regional marine mammal health, stranding,
14 entanglement, and mortality data, including vis-
15 ualizations and metadata, through the national
16 and regional data portals of the Observation
17 System; and

18 “(D) in collaboration with, and with input
19 from, States and stranding network partici-
20 pants.

21 “(d) PROCEDURES AND GUIDELINES.—The Sec-
22 retary shall establish and implement policies, protocols,
23 and standards for—

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

4 “(2) promptly transmitting health data from
5 the stranding networks and other appropriate data
6 providers to the Health MAP;

7 “(3) disseminating and making publicly avail-
8 able data on marine mammal health, stranding, en-
9 tanglement, and mortality data in a timely and sus-
10 tained manner; and

11 “(4) integrating additional marine mammal
12 health, stranding, or other relevant data as the Sec-
13 retary determines appropriate.

14 “(e) CONSULTATION.—The Administrator of the Na-
15 tional Oceanic and Atmospheric Administration shall
16 maintain and update the Health MAP in consultation with
17 the Secretary of the Interior and the Marine Mammal
18 Commission.

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

23 (b) TABLE OF CONTENTS AMENDMENT.—The table
24 of contents in the first section of the Marine Mammal Pro-
25 tection Act of 1972 (Public Law 92-522; 86 Stat. 1027)

1 (as amended by section 7(b)) is amended by inserting after
2 the item related to section 408 the following:

“Sec. 408A. Health MAP.”.

3 **SEC. 9. REPORTS TO CONGRESS.**

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

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

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

12 “(1) the Committee on Commerce, Science, and
13 Transportation of the Senate;

14 “(2) the Committee on Natural Resources of
15 the House of Representatives; and

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

18 “(b) HEALTH MAP STATUS REPORT.—

19 “(1) IN GENERAL.—Not later than 2 year after
20 the date of enactment of the Marine Mammal Re-
21 search and Response Act of 2019, the Administrator
22 of the National Oceanic and Atmospheric Adminis-
23 tration, in consultation with the Marine Mammal
24 Commission, the Secretary of the Interior, and the
25 National Ocean Research Leadership Council, shall

1 submit to the appropriate committees of Congress a
2 report describing the status of the Health MAP.

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

5 “(A) a detailed evaluation of the data
6 made publically available through the Health
7 MAP;

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

12 “(C) an analysis of the effectiveness of
13 using the website of the Observation System as
14 the platform to collect, organize, visualize, ar-
15 chive, and disseminate marine mammal strand-
16 ing and health data;

17 “(D) a list of publications, presentations,
18 or other relevant work product resulting from,
19 or produced in collaboration with, the Health
20 MAP;

21 “(E) a description of emerging marine
22 mammal health concerns and the applicability
23 of those concerns to human health;

24 “(F) an analysis of the feasibility of the
25 Observation System being used as an alert sys-

1 tem during stranding events, entanglement
2 events, and unusual mortality events for the
3 stranding network, Observation System part-
4 ners, Health MAP partners, Federal and State
5 agencies, and local and Tribal governments;

6 “(G) an evaluation of the use of Health
7 MAP data to predict broader ecosystem events
8 and changes that may impact marine mammal
9 or human health and specific examples of prov-
10 en or potential uses of Observation System data
11 for those purposes; and

12 “(H) recommendations for the Health
13 MAP with respect to—

14 “(i) filling any identified data gaps;

15 “(ii) standards that could be used to
16 improve data quality, accessibility, trans-
17 mission, interoperability, and sharing;

18 “(iii) any other strategies that would
19 contribute to the effectiveness and useful-
20 ness of the Health MAP; and

21 “(iv) the funding levels needed to
22 maintain and improve the Health MAP.

23 “(c) DATA GAP ANALYSIS.—

24 “(1) IN GENERAL.—Not later than 5 years
25 after the date on which the report required under

1 subsection (b)(1) is submitted, and every 5 years
2 thereafter, the Administrator of the National Oee-
3 anic and Atmospheric Administration, in consulta-
4 tion with the Marine Mammal Commission and the
5 Secretary of the Interior, shall submit to the appro-
6 priate committees of Congress a data gap analysis,
7 as described in paragraph (2).

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

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

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

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

16 “(D) an analysis of how stranding and
17 health data are shared and made available to
18 scientists, academics, State, local, and Tribal
19 governments, and the public.

20 “(d) MARINE MAMMAL RESPONSE CAPABILITIES IN
21 THE ARCTIC.—

22 “(1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of the Marine Mammal Re-
24 search and Response Act of 2019, the Administrator
25 of the National Oceanic and Atmospheric Adminis-

1 tration, in consultation with the Marine Mammal
2 Commission and the Director of the United States
3 Fish and Wildlife Service, shall submit to the appro-
4 priate committees of Congress a report describing
5 the response capabilities for sick and injured marine
6 mammals in the Arctic region of the United States.

7 “(2) ARCTIC.—The term ‘Arctic’ has the mean-
8 ing given the term in section 112 of the Arctic Re-
9 search and Policy Act of 1984 (15 U.S.C. 4111).

10 “(3) REQUIREMENTS.—The report under para-
11 graph (1) shall include—

12 “(A) a description, developed in consulta-
13 tion with the Fish and Wildlife Service of the
14 Department of the Interior, of all marine mam-
15 mal stranding agreements in place for the Arc-
16 tic region of the United States, including spe-
17 cies covered, response capabilities, facilities and
18 equipment, and data collection and analysis ca-
19 pabilities;

20 “(B) a list of State and local government
21 agencies that have personnel trained to respond
22 to marine mammal strandings in the Arctic re-
23 gion of the United States;

24 “(C) an assessment of potential response
25 and data collection partners and sources of

1 local information and knowledge, including
2 Alaska Native people and villages;

3 “(D) an analysis of spatial and temporal
4 trends in marine mammal strandings and un-
5 usual mortality events that are correlated with
6 changing environmental conditions in the Arctic
7 region of the United States;

8 “(E) a description of training and other
9 resource needs to meet emerging response re-
10 quirements in the Arctic region of the United
11 States;

12 “(F) an analysis of oiled marine mammal
13 response and rehabilitation capabilities in the
14 Arctic region of the United States, including
15 personnel, equipment, facilities, training, and
16 husbandry capabilities, and an assessment of
17 factors that affect response and rehabilitation
18 success rates; and

19 “(G) recommendations to address future
20 stranding response needs for marine mammals
21 in the Arctic region of the United States.”.

22 (b) TABLE OF CONTENTS AMENDMENT.—The table
23 of contents in the first section of the Marine Mammal Pro-
24 tection Act of 1972 (Public Law 92-522; 86 Stat. 1027)

1 (as amended by section 8(b)) is amended by inserting after
2 the item related to section 408A the following:

“Sec. 408B. Reports to Congress.”.

3 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

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

6 (1) in paragraph (1), by striking “1993 and
7 1994;” and inserting “2020 through 2025;”;

8 (2) in paragraph (2), by striking “1993 and
9 1994;” and inserting “2020 through 2025;” and

10 (3) in paragraph (3), by striking “fiscal year
11 1993.” and inserting “for each of fiscal years 2020
12 through 2025.”.

13 **SEC. 11. DEFINITIONS.**

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

16 (1) by redesignating paragraphs (1) through
17 (6) as paragraphs (2), (5), (6), (7), (9), and (10),
18 respectively;

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

21 “(1) The term ‘entangle’ or ‘entanglement’
22 means an event in the wild in which a living or dead
23 marine mammal has gear, rope, line, net, or other
24 material wrapped around or attached to the marine
25 mammal and is—

1 “(A) on a beach or shore of the United
2 States; or

3 “(B) in navigable waters of the United
4 States.”;

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

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

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

13 “(4) The term ‘Observation System’ means the
14 National Integrated Coastal and Ocean Observation
15 System established under section 12304 of the Inte-
16 grated Coastal and Ocean Observation System Act
17 of 2009 (33 U.S.C. 3603).”; and

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

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

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

24 (a) IN GENERAL.—Not later than 12 months after
25 the date of enactment of this Act, the National Academies

1 of Science, in consultation with the Under Secretary of
2 Commerce for Oceans and Atmosphere, shall conduct a
3 study evaluating the connections among marine heat
4 waves, frequency and intensity of harmful algal blooms,
5 prey availability, and habitat degradation, and the impacts
6 of these conditions on marine mammal mortality.

7 (b) REPORT.—The National Academies of Science, in
8 consultation with the Under Secretary of Commerce for
9 Oceans and Atmosphere, shall prepare and submit to Con-
10 gress a report containing the results of the study described
11 in subsection (a). The report shall identify priority re-
12 search activities, opportunities for collaboration, and cur-
13 rent gaps in effort and resource limitations related to ad-
14 vancing scientific understanding of how ocean heat waves,
15 harmful algae blooms, availability of prey, and habitat
16 degradation impact marine mammal mortality. The report
17 shall include recommendations for policies needed to miti-
18 gate and respond to mortality events.