

Markey - substitute

AEG24205 SC8

S.L.C.

Edward J. Markey

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 2086**

To require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by \_\_\_\_\_

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 “Sea Turtle Rescue As-  
5 sistance and Rehabilitation Act of 2023”.

6 **SEC. 2. SEA TURTLE RESCUE, REHABILITATION, AND RE-  
7 SPONSE.**

8 Section 408 of the Marine Mammal Protection Act  
9 of 1972 (16 U.S.C. 1421f-1) is amended—

10 (1) in subsection (b), by adding at the end the  
11 following:

12 “(10) SEA TURTLE RESCUE, REHABILITATION,  
13 AND RESPONSE.—

1           “(A) IN GENERAL.—Subject to the avail-  
2           ability of appropriations specific to address sea  
3           turtle rescue, rehabilitation, and response, the  
4           Secretary of Commerce and the Director of the  
5           United States Fish and Wildlife Service shall  
6           include separate eligibility for grants under this  
7           subsection to address the purposes described in  
8           paragraph (2) with respect to sea turtles.

9           “(B) CONDITIONS OF GRANT.—A grant  
10          awarded under this subsection to address sea  
11          turtle rescue, rehabilitation, and response shall  
12          include the equivalent grant criteria and admin-  
13          istration authorities and requirements described  
14          under paragraphs (3) through (9), developed,  
15          as appropriate, and awarded separately for sea  
16          turtles and in consultation with the United  
17          States Fish and Wildlife Service in lieu of the  
18          Marine Mammal Commission.

19          “(C) ELIGIBILITY CRITERIA.—In order to  
20          apply for a grant awarded under this subsection  
21          to address sea turtle rescue, rehabilitation, and  
22          response, an entity shall—

23                  “(i) submit an application described  
24                  in paragraph (5) to the Secretary of Com-  
25                  merce with respect to sea turtles;

1                   “(ii) be authorized by and in compli-  
2                   ance with—

3                   “(I) an authorization issued  
4                   under section 10(a)(1)(A) of the En-  
5                   dangered Species Act of 1973 (16  
6                   U.S.C. 1539(a)(1)(A)) with respect to  
7                   sea turtles; or

8                   “(II) a cooperative agreement en-  
9                   tered into under section 6 of the En-  
10                  dangered Species Act of 1973 (16  
11                  U.S.C. 1535) with respect to sea tur-  
12                  tles;

13                  “(iii) comply with the standard condi-  
14                  tions for care and maintenance of captive  
15                  sea turtles prescribed by the Secretary of  
16                  the Interior when relevant facilities will be  
17                  utilized for such purposes; and

18                  “(iv) comply with all relevant data re-  
19                  porting, requirements, such as the Sea  
20                  Turtle Stranding and Salvage Network  
21                  data collection requirements.”;

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

24                  “(c) RESCUE AND RAPID RESPONSE FUNDS.—

1           “(1) IN GENERAL.—There is established in the  
2 Treasury of the United States—

3           “(A) an interest-bearing fund to known as  
4 the ‘Joseph R. Geraci Marine Mammal Rescue  
5 and Rapid Response Fund’; and

6           “(B) an interest-bearing fund to be known  
7 as the ‘Sea Turtle Rescue, Rehabilitation, and  
8 Rapid Response Fund’.

9           “(2) USE OF FUNDS.—Amounts in the funds  
10 established under paragraph (1) shall be available  
11 only for use by the Secretary to provide emergency  
12 assistance.”; and

13           (3) in subsection (d)—

14           (Λ) in paragraph (1)—

15           (i) in subparagraph (Λ), by inserting  
16 “marine mammal rescue and response”  
17 after “to carry out the”;

18           (ii) by redesignating subparagraph  
19 (B) as subparagraph (C);

20           (iii) by inserting after clause (ii) of  
21 subparagraph (A) the following:

22           “(B) AUTHORIZATION OF APPROPRIATIONS  
23 WITH RESPECT TO SEA TURTLE RESCUE, REHA-  
24 BILITATION, AND RESPONSE.—There is author-  
25 ized to be appropriated for the Secretary of

1 Commerce to carry out the sea turtle rescue, re-  
2 habilitation, and response grant program under  
3 subsection (b)(10), \$5,000,000 for each of fis-  
4 cal years 2025 through 2030, to remain avail-  
5 able until expended.”; and

6 (iv) in subparagraph (C), as redesign-  
7 nated by clause (ii), by inserting “or (B)”  
8 after “subparagraph (A)”;

9 (B) by striking paragraph (2) and insert-  
10 ing the following:

11 “(2) RESCUE AND RAPID RESPONSE FUNDS.—

12 There is authorized to be appropriated—

13 “(A) to the Joseph R. Geraci Marine  
14 Mammal Rescue and Rapid Response Fund  
15 \$500,000 for each of fiscal years 2025 through  
16 2030; and

17 “(B) to the Sea Turtle Rescue, Rehabilita-  
18 tion, and Rapid Response Fund \$500,000 for  
19 each of fiscal years 2025 through 2030.”.