

SEA TURTLE RESCUE ASSISTANCE ACT OF 2022

DECEMBER 30, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 7918]

The Committee on Natural Resources, to whom was referred the bill (H.R. 7918) to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sea Turtle Rescue Assistance Act of 2022”.

SEC. 2. SEA TURTLE RESCUE ASSISTANCE GRANT PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary shall establish a grant program to be known as the “Sea Turtle Rescue Assistance Grant Program”, to encourage and facilitate coordinated rapid response and rescue by awarding grants for the purposes described in subsection (c).

(b) **DESIGNATION OF STRANDING REGIONS.**—The Secretary shall designate geographic regions of the United States as stranding regions for the purposes of carrying out this section.

(c) **PURPOSES.**—The purposes of the Program are to provide for—

(1) the recovery, short- or long-term care, transportation, and treatment of stranded marine turtles;

(2) the release of rescued and recovered marine turtles;

(3) the collection of data and samples from stranded marine turtles for scientific research or assessments regarding marine turtle health, including tagging information; and

(4) facility operation costs that are directly related to activities described in paragraphs (1), (2), and (3).

(d) **EQUITABLE DISTRIBUTION OF FUNDS.**—The Secretary shall ensure, to the extent practicable, that funds awarded under this section are distributed equitably among stranding regions, taking into account—

(1) the number of stranding events that occurred in each stranding region in the preceding 5 years; and

- (2) the conservation priorities and recovery needs of species of marine turtles that are threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).
- (e) APPLICATION.—An applicant for a grant under this section shall submit an application in such form and manner as the Secretary shall prescribe.
- (f) GRANT CRITERIA.—
- (1) DEVELOPMENT OF CRITERIA.—The Secretary shall, in consultation with the Director of the United States Fish and Wildlife Service, establish by regulation appropriate criteria for awarding grants under this section.
- (2) STAKEHOLDER ENGAGEMENT.—As part of the process for developing and finalizing criteria under paragraph (1), the Secretary shall, in consultation with the Director of the United States Fish and Wildlife Service, provide opportunities for engagement with representatives from stranding regions and representatives of public and private organizations with an established record in rescue, rehabilitation, and release, as well as related scientific research, marine conservation, and forensic science, with respect to stranded marine turtles.
- (3) REQUIRED CRITERIA.—The criteria developed under paragraph (1) shall prioritize applicants with an established record of rescuing, rehabilitation, scientific research, and forensic science with respect to stranded marine turtles or conducting scientific research and forensic science on stranded marine turtles.
- (g) LIMITATIONS.—
- (1) MAXIMUM AMOUNT OF GRANT.—No grant awarded under this section may exceed \$150,000 in any 12-month period.
- (2) MATCHING REQUIREMENT.—The non-Federal share of the costs of an activity conducted with a grant awarded under the Program shall be not less than 50 percent of such costs, including in-kind services and the use of property.
- (h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section \$5,000,000 for each of fiscal years 2023 through 2028 to remain available until expended. Not more than 3 percent shall be used for administrative expenses to carry out this Act.
- (i) DEFINITIONS.—In this section:
- (1) MARINE TURTLE.—The term “marine turtle” means any member of the family Cheloniidae or Dermochelyidae.
- (2) PROGRAM.—The term “Program” means the Sea Turtle Rescue Assistance Grant Program established under subsection (a).
- (3) SECRETARY.—The term “Secretary” means the Secretary of Commerce.
- (4) STRANDING.—The term “stranding” means an event in which—
- (A) a marine turtle is dead and is—
- (i) on a beach or shore of the United States; or
- (ii) in waters under the jurisdiction of the United States (including any navigable waters); or
- (B) a marine turtle is alive and is—
- (i) on a beach or shore of the United States and unable to return to the water;
- (ii) on a beach or shore of the United States and in need of medical attention; or
- (iii) in the waters under the jurisdiction of the United States (including any navigable waters), and in need of medical attention or other necessary intervention to aid its likelihood of survival.
- (5) STRANDING REGION.—The term “stranding region” means a geographic region designated by the Secretary under subsection (b).

PURPOSE OF THE BILL

The purpose of H.R. 7918 is to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program.

BACKGROUND AND NEED FOR LEGISLATION

All sea turtles found in U.S. waters are listed as threatened or endangered under the Endangered Species Act.¹ Human activities, which are becoming more common due to climate change, create several risks to threatened and endangered sea turtles, from oil spills, entanglements in fishing gear, and other plastic waste to

¹ Pub. L. No. 97–304 (1982).

boat strikes and cold-stun events. Many of these events disorient sea turtles, resulting in coastal strandings and starving them.

The National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service developed sea turtle recovery plans that recognize and emphasize the importance of maintaining a functioning stranded sea turtle rescue network to conserve and recover listed sea turtles.² The Sea Turtle Stranding and Salvage Network (Network) was established to respond to more frequent stranding events and is composed of Federal, State, and permitted private partners around the nation.³ Much of their work focuses on documenting the status of live sea turtles and counts and examination of dead sea turtles to understand morbidity and mortality drivers and best inform conservation management and recovery efforts.⁴

Federal funding to support this vital work has remained inadequate, despite the continuation of the Network as an essential aspect of every sea turtle species' recovery plan. Over two years, just eight of these network partners cared for more than 2,000 sea turtles, paying \$5 million yearly to care for rescued sea turtles. Sea turtle stranding response and rehabilitation efforts are necessary for sea turtle conservation.

H.R. 7918 would establish a federal grant program, known as the "Sea Turtle Rescue Assistance Grant Program," to provide critical funding to support response and rehabilitation efforts for federally protected endangered sea turtles. Grants would fund the recovery, care, and treatment of stranded marine turtles, stranding data collection for scientific research, and facility operating costs. The bill also outlines criteria to ensure that grants are awarded to regions equitably. The bill stipulates a non-federal matching requirement of no less than 50 percent of the costs of activities conducted with the assistance. The bill authorizes \$5 million annually for fiscal years 2023 through 2028 and caps administrative costs at no more than 3 percent of funds.

COMMITTEE ACTION

H.R. 7918 was introduced on May 31, 2022, by Representative Bill Keating (D-MA). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Oceans, and Wildlife. On July 21, 2022, the Subcommittee held a hearing on the bill. On December 8, 2022, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D-AZ) offered an amendment in the nature of a substitute. The amendment in the nature of a substitute was agreed to by unanimous consent. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

²National Oceanic and Atmospheric Administration, Sea Turtle Stranding and Salvage Network (online at www.fisheries.noaa.gov/national/marine-life-distress/sea-turtle-stranding-and-salvage-network).

³Ibid.

⁴"Morbidity" refers to illness or disease, "mortality" refers to death, regardless of cause. National Park Service, *Review of the Sea Turtle Science and Recovery Program—Padre Island National Seashore* (May 2021) (online at www.nps.gov/pais/learn/management/upload/pais-stsr-review-report_20210507_finalamended_508.pdf).

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Water, Oceans, and Wildlife held on July 21, 2022.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) and clause 3(d) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill. The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.

