

SEA TURTLE RESCUE ASSISTANCE AND REHABILITATION
ACT OF 2023

APRIL 2, 2024.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 2560]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2560) to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program, and for other purposes, 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 and Rehabilitation Act of 2023”.

SEC. 2. SEA TURTLE RESCUE ASSISTANCE AND REHABILITATION GRANT PROGRAM.

(a) **ESTABLISHMENT.**—The Secretary shall establish a grant program, to be known as the “Sea Turtle Rescue Assistance and Rehabilitation 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 AND REHABILITATION REGIONS.**—The Secretary shall designate geographic regions of the United States as stranding and rehabilitation 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 related to marine turtle health; 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 and rehabilitation regions, taking into account—

(1) the number of stranding and rehabilitation events that occurred in each stranding and rehabilitation 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 and rehabilitation regions and representatives of State governments and public and private organizations with an established record in coordination, 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 coordination, rescuing, rehabilitation, scientific research, and forensic science with respect to stranded and rehabilitated marine turtles or conducting scientific research and forensic science on stranded and rehabilitated 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) **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 and Rehabilitation 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 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 AND REHABILITATION REGION.**—The term “stranding and rehabilitation region” means a geographic region designated by the Secretary under subsection (b).

PURPOSE OF THE LEGISLATION

The purpose of H.R. 2560 is to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

All six sea turtle species found in the United States’ waters are listed as threatened or endangered under the Endangered Species Act (16 U.S.C. 1531 et seq.). In the U.S., the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wild-

life Service (USFWS) have shared jurisdiction for the recovery and conservation of threatened and endangered sea turtles. NOAA oversees the conservation and recovery of sea turtles in the marine environment, while the USFWS leads the conservation and recovery of these animals on nesting beaches.¹ Historically, NOAA’s John H. Prescott Grant program has provided funding to assist stranded sea turtles.²

The *Sea Turtle Rescue Assistance Act* would establish a federal grant program to provide funding for the rehabilitation, recovery, care, and treatment of stranded sea turtles in the United States, data collection for scientific research on such turtles and facility operating costs. Sea turtles can become stranded on coasts due to a number of factors, including accidental capture in fishing gear, vessel strikes, or cold-stun events, which can occur during winter months when water temperatures rapidly and persistently drop below 50 °F.³ The Sea Turtle Stranding and Salvage Network (Network) is a consortium of 50 federal, state, and private partners established to respond to stranded turtles.⁴ According to the Network, eight of these partners have cared for more than 2,000 sea turtles over the last two years at a cost of \$5 million per year.⁵ The program created by this act would supplement this work by providing federal resources and expertise.

COMMITTEE ACTION

H.R. 2560 was introduced on April 10, 2023, by Rep. William Keating (D–MA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Wildlife and Fisheries. On October 25–26, 2023, the Committee on Natural Resources met to consider the bill. The Subcommittee on Water, Wildlife and Fisheries was discharged from further consideration of H.R. 2560 by unanimous consent. Rep. Anna Paulina Luna (R–FL) offered an amendment in the nature of a substitute designated Luna_051 ANS. The amendment in the nature of a substitute was adopted by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

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

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

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

¹ NOAA, Fisheries, <https://www.fisheries.noaa.gov/sea-turtles>.

² The John H. Prescott Marine Mammal Rescue Assistance Grant Program report (FY 2001–2010), <https://repository.library.noaa.gov/view/noaa/3933>.

³ NOAA, *Supra* 1.

⁴ *Id.*

⁵ *Id.*

Section 2. Sea Turtle Rescue Assistance Grant Program

Would establish a grant program within the Department of Commerce to assist stranded sea turtles. Funding could be awarded to non-federal entities for the recovery and rehabilitation of sea turtles, data collection and facility operations.

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) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

H.R. 2560, Sea Turtle Rescue Assistance and Rehabilitation Act of 2023			
As ordered reported by the House Committee on Natural Resources on October 26, 2023			
By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	12	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Mandate Effects	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2560 would direct the National Oceanic and Atmospheric Administration (NOAA) to award grants to rescue and rehabilitate stranded marine turtles. Under the bill, entities could receive up to \$150,000 per grant to support marine turtle rescue and recovery, data collection, and research; as well as operating costs for facilities devoted to the research and rehabilitation of marine turtles. H.R. 2560 also would require NOAA to designate regions where turtle strandings tend to occur and equitably distribute grants across those regions. In 2023, NOAA allocated about \$1 million for sea turtle stranding response and rehabilitation activities.

Using information from the agency, CBO expects that NOAA would need one full-time employee to administer the program at a cost of about \$100,000 and would begin awarding grants in 2025. Additionally, CBO expects that each year about 50 organizations would receive grants of about \$100,000, on average, under the pro-

gram. On that basis and accounting for anticipated inflation, CBO estimates that NOAA would need about \$5 million a year to administer the program over the 2024–2028 period, though outlays each year would be less than that amount because it would take time to disburse all of the grants.

Using historical spending patterns for similar activities, CBO estimates that implementing H.R. 2560 would cost \$12 million over the 2024–2028 period, assuming appropriation of the estimated amount.

The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 2560

	By fiscal year, millions of dollars—					
	2024	2025	2026	2027	2028	2024–2028
Estimated Authorization	*	5	5	5	6	21
Estimated Outlays	*	1	2	4	5	12

* = between zero and \$500,000.

The CBO staff contact for this estimate is Kelly Durand. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to require the Secretary of Commerce to establish the Sea Turtle Rescue Assistance Grant Program, and for other purposes.

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

According to the Congressional Budget Office, H.R. 2560 contains no unfunded mandates as defined in the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

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

As ordered reported by the Committee on Natural Resources, H.R. 2560 makes no changes in existing law.