

117TH CONGRESS
2D SESSION

S. 4432

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

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2022

Mr. MARKEY (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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

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 “Sea Turtle Rescue As-
5 sistance Act of 2022”.

6 **SEC. 2. SEA TURTLE RESCUE ASSISTANCE GRANT PRO-**
7 **GRAM.**

8 (a) ESTABLISHMENT.—The Secretary shall establish
9 a grant program to be known as the “Sea Turtle Rescue
10 Assistance Grant Program”, to encourage and facilitate

1 coordinated rapid response and rescue by awarding grants
2 for the purposes described in subsection (c).

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

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

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

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

14 (3) the collection of data and samples from
15 stranded marine turtles for scientific research or as-
16 sessments regarding marine turtle health, including
17 tagging information; and

18 (4) facility operation costs that are directly re-
19 lated to activities described in paragraphs (1), (2),
20 and (3).

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

1 (1) the number of stranding events that oc-
2 curred in each stranding region in the preceding 5
3 years;

4 (2) region-specific factors that increase risks of
5 marine turtle stranding events; and

6 (3) the conservation priorities and recovery
7 needs of species of marine turtles that are threat-
8 ened or endangered under the Endangered Species
9 Act of 1973 (16 U.S.C. 1531 et seq.).

10 (e) APPLICATION.—An applicant for a grant under
11 this section shall submit an application in such form and
12 manner as the Secretary shall prescribe.

13 (f) GRANT CRITERIA.—

14 (1) DEVELOPMENT OF CRITERIA.—The Sec-
15 retary shall, in consultation with the Director of the
16 United States Fish and Wildlife Service, develop cri-
17 teria for awarding grants under this section and pro-
18 vide such criteria for formal public notice and com-
19 ment.

20 (2) STAKEHOLDER ENGAGEMENT.—As part of
21 the process for developing and finalizing criteria
22 under paragraph (1), the Secretary shall, in con-
23 sultation with the Director of the United States Fish
24 and Wildlife Service, provide opportunities for en-
25 gagement with representatives from stranding re-

1 gions and representatives of public and private orga-
 2 nizations with an established record in rescue, reha-
 3 bilitation, and release, as well as related scientific re-
 4 search, marine conservation, and forensic science,
 5 with respect to stranded marine turtles.

6 (3) REQUIRED CRITERIA.—The criteria devel-
 7 oped under paragraph (1) shall prioritize applicants
 8 with an established record of rescuing, rehabilita-
 9 tion, scientific research, and forensic science with re-
 10 spect to stranded marine turtles or conducting sci-
 11 entific research and forensic science on stranded ma-
 12 rine turtles.

13 (g) ACCEPTANCE OF DONATIONS.—For the purposes
 14 of carrying out this section, the Secretary may solicit, ac-
 15 cept, receive, hold, administer, and use gifts, devises, and
 16 bequests without any further approval or administrative
 17 action.

18 (h) LIABILITY WAIVER .—

19 (1) IN GENERAL.—A person who is acting
 20 under the authority of an entity awarded a grant
 21 under this section is deemed to be an employee of
 22 the government for purposes of chapter 171 of title
 23 28, United States Code, with respect to actions of
 24 the person that—

25 (A) are in support of rescue efforts;

1 (B) are in accordance with the purposes of
2 subsection (c); and

3 (C) reflect sound professional judgment
4 and are consistent with the directions of any
5 on-site coordinator or incident commander.

6 (2) LIMITATION.—Paragraph (1) does not
7 apply to actions of a person described in that para-
8 graph that are grossly negligent or that constitute
9 willful misconduct.

10 (i) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to the Secretary to carry
12 out this section \$5,000,000 for each of fiscal years 2023
13 through 2028 to remain available until expended.

14 (j) DEFINITIONS.—In this section:

15 (1) MARINE TURTLE.—The term “marine tur-
16 tle” means any member of the family Cheloniidae or
17 Dermochelyidae.

18 (2) PROGRAM.—The term “Program” means
19 the Sea Turtle Rescue Assistance Grant Program
20 established under subsection (a).

21 (3) SECRETARY.—The term “Secretary” means
22 the Secretary of Commerce.

23 (4) STRANDING.—The term “stranding” means
24 an event in which—

25 (A) a marine turtle is dead and is—

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

3 (ii) in waters under the jurisdiction of
4 the United States (including any navigable
5 waters); or

6 (B) a marine turtle is alive and is—

7 (i) on a beach or shore of the United
8 States and unable to return to the water;

9 (ii) on a beach or shore of the United
10 States and in need of medical attention; or

11 (iii) in the waters under the jurisdic-
12 tion of the United States (including any
13 navigable waters), and in need of medical
14 attention or other necessary intervention to
15 aid its likelihood of survival.

16 (5) STRANDING REGION.—The term “stranding
17 region” means a geographic region designated by the
18 Secretary under subsection (b).

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