

Public Law 95-136
95th Congress

An Act

To authorize appropriations for fiscal year 1978 to carry out the Marine Mammal Protection Act of 1972.

Oct. 18, 1977

[S. 1522]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 110(c) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1380(c)) is amended to read as follows:

Marine Mammal Protection Act of 1972, amendment. Research grants. Appropriation authorizations.

“(c) There are authorized to be appropriated, for the purposes of carrying out this section, not to exceed the following sums for the following fiscal years:

“(1) \$2,500,000 for each of the fiscal years ending June 30, 1973, June 30, 1974, June 30, 1975, September 30, 1976, and September 30, 1977, of which one-third of the sum appropriated for any such fiscal year shall be available to the Secretary of the Interior and two-thirds of any such sum shall be available to the Secretary of Commerce.

“(2) \$1,200,000, all of which shall be available to the Secretary of the Interior, for the fiscal year ending September 30, 1978.

“(3) \$200,000, all of which shall be available to the Secretary of Commerce, for the fiscal year ending September 30, 1978.”

SEC. 2. Section 114 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1384) is amended—

(1) by amending subsection (a) by inserting “, and not to exceed \$11,500,000 for the fiscal year ending September 30, 1978,” immediately after “fiscal years”; and

(2) by amending subsection (b)—

(A) by striking out “and” immediately after “June 30, 1973,” and

(B) by inserting “, and not to exceed \$850,000 for the fiscal year ending September 30, 1978” immediately after “thereafter”.

SEC. 3. Section 207 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1407) is amended to read as follows:

“AUTHORIZATIONS OF APPROPRIATIONS

“SEC. 207. There are authorized to be appropriated for the fiscal year in which this title is enacted and for the next five fiscal years thereafter such sums as may be necessary to carry out this title, but the sums appropriated for any fiscal year other than the fiscal year ending September 30, 1978, shall not exceed \$1,000,000, and the sum appropriated for the fiscal year ending September 30, 1978, shall not exceed \$2,000,000.”

SEC. 4. Section 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1372) is amended by adding at the end thereof the following new subsection:

Prohibitions. Whales, taking.

“(f) It is unlawful for any person or vessel or other conveyance to take any species of whale incident to commercial whaling in waters subject to the jurisdiction of the United States.”

33 USC 476.

SEC. 5. (a) The Congress finds that—

(1) the navigable waters of Puget Sound in the State of Washington, and the natural resources therein, are a fragile and important national asset;

(2) Puget Sound and the shore area immediately adjacent thereto is threatened by increased domestic and international traffic of tankers carrying crude oil in bulk which increases the possibility of vessel collisions and oil spills; and

(3) it is necessary to restrict such tanker traffic in Puget Sound in order to protect the navigable waters thereof, the natural resources therein, and the shore area immediately adjacent thereto, from environmental harm.

(b) Notwithstanding any other provision of law, on and after the date of enactment of this section, no officer, employee, or other official of the Federal Government shall, or shall have authority to, issue, renew, grant, or otherwise approve any permit, license, or other authority for constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of the date of enactment of this section), other than oil to be refined for consumption in the State of Washington.

Approved October 18, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-336 accompanying H.R. 4740 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 95-177 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 123 (1977):

July 18, considered and passed Senate.

Sept. 12, considered and passed House, amended, in lieu of H.R. 4740.

Oct. 4, Senate concurred in House amendment with amendments.

Oct. 4, 5, House concurred in Senate amendments.