

Rapid Response Fund” for “John H. Prescott Marine Mammal Rescue Assistance Grant Program” in section catchline.

Subsecs. (a) to (d). Pub. L. 117-263, §10406(a)(2), (4), added subsecs. (a) to (d) and struck out former subsecs. (a) to (d) which related to authorization of the John H. Prescott Marine Mammal Rescue Assistance Grant Program, grant applications, required consultations, and limitation of the grant amount, respectively.

Subsec. (e). Pub. L. 117-263, §10406(a)(4), added subsec. (e). Former subsec. (e) redesignated (f).

Subsec. (f). Pub. L. 117-263, §10406(a)(2), (3), redesignated subsec. (e) as (f) and struck out former subsec. (f). Prior to amendment, text of subsec. (f) read as follows: “Of amounts available each fiscal year to carry out this section, the Secretary may expend not more than 6 percent or \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this section.”

Subsec. (f)(1). Pub. L. 117-263, §10406(b)(1), substituted “a project conducted with funds awarded under the grant program under this section shall be not less than 25 percent of such project” for “the costs of an activity conducted with a grant under this section shall be 25 percent of such costs”.

Subsec. (f)(2). Pub. L. 117-263, §10406(b)(2), substituted “a project” for “an activity” and “the project” for “the activity”.

Subsecs. (g), (h). Pub. L. 117-263, §10406(a)(2), struck out subsecs. (g) and (h) which defined “designated stranding region” and “Secretary” and authorized appropriations for fiscal years 2001 through 2003, respectively.

§ 1421f-2. Marine Mammal Health Monitoring and Analysis Platform (Health MAP)

(a) In general

Not later than 1 year after December 23, 2022, the Secretary, acting through the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Secretary of the Interior and the Marine Mammal Commission, shall—

(1) establish a marine mammal health monitoring and analysis platform (referred to in this chapter as the “Health MAP”);

(2) incorporate the Health MAP into the Observation System; and

(3) make the Health MAP—

(A) publicly accessible through the web portal of the Observation System; and

(B) interoperable with other national data systems or other data systems for management or research purposes, as practicable.

(b) Purposes

The purposes of the Health MAP are—

(1) to promote—

(A) interdisciplinary research among individuals with knowledge and experience in marine mammal science, marine mammal veterinary and husbandry practices, medical science, and oceanography, and with other marine scientists;

(B) timely and sustained dissemination and availability of marine mammal health, stranding, entanglement, and mortality data;

(C) identification of spatial and temporal patterns of marine mammal mortality, disease, and stranding;

(D) evaluation of marine mammal health in terms of mortality, as well as sublethal marine mammal health impacts;

(E) improved collaboration and forecasting of marine mammal and larger ecosystem health events;

(F) rapid communication and dissemination of information regarding marine mammal strandings that may have implications for human health, such as those caused by harmful algal blooms; and

(G) increased accessibility of data in a user friendly visual interface for public education and outreach; and

(2) to contribute to an ocean health index that incorporates marine mammal health data.

(c) Requirements

The Health MAP shall—

(1) integrate in situ, remote, and other marine mammal health, stranding, and mortality data, including visualizations and metadata, collected by marine mammal stranding networks, Federal, State, local, and Tribal governments, private partners, and academia; and

(2) be designed—

(A) to enhance data and information availability, including data sharing among stranding network participants, scientists, and the public within and across stranding network regions;

(B) to facilitate data and information access across scientific disciplines, scientists, and managers;

(C) to facilitate public access to national and regional marine mammal health, stranding, entanglement, and mortality data, including visualizations and metadata, through the national and regional data portals of the Observation System; and

(D) in collaboration with, and with input from, States and stranding network participants.

(d) Procedures and guidelines

The Secretary shall establish and implement policies, protocols, and standards for—

(1) reporting marine mammal health data collected by stranding networks consistent with subsections (c) and (d) of section 1421a of this title;

(2) promptly transmitting health data from the stranding networks and other appropriate data providers to the Health MAP;

(3) disseminating and making publicly available data on marine mammal health, stranding, entanglement, and mortality data in a timely and sustained manner; and

(4) integrating additional marine mammal health, stranding, or other relevant data as the Secretary determines appropriate.

(e) Consultation

The Administrator of the National Oceanic and Atmospheric Administration shall maintain and update the Health MAP in consultation with the Secretary of the Interior and the Marine Mammal Commission.

(f) Acceptance of donations

(1) In general

For the purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises,

and bequests without any further approval or administrative action.

(2) Monetary donations

A monetary gift, devise, or bequest accepted by the Secretary under paragraph (1) shall be credited as discretionary offsetting collections to the currently applicable appropriation, account, or fund of the Department of Commerce and shall be made available for such purposes only to the extent and in the amounts provided in advance in appropriations Acts.

(Pub. L. 92-522, title IV, § 408A, as added Pub. L. 117-263, div. J, title CIV, § 10407(a), Dec. 23, 2022, 136 Stat. 3988.)

§ 1421f-3. Reports to Congress

(a) Definition of appropriate committees of Congress

In this section, the term “appropriate committees of Congress” means—

- (1) the Committee on Commerce, Science, and Transportation of the Senate;
- (2) the Committee on Environment and Public Works of the Senate;
- (3) the Committee on Natural Resources of the House of Representatives; and
- (4) the Committee on Science, Space, and Technology of the House of Representatives.

(b) Health MAP status report

(1) In general

Not later than 2 years after December 23, 2022, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission, the Secretary of the Interior, and the National Ocean Research Leadership Council, shall submit to the appropriate committees of Congress a report describing the status of the Health MAP.

(2) Requirements

The report under paragraph (1) shall include—

- (A) a detailed evaluation of the data made publicly available through the Health MAP;
- (B) a detailed list of any gaps in data collected pursuant to the Health MAP, a description of the reasons for those gaps, and recommended actions to close those gaps;
- (C) an analysis of the effectiveness of using the website of the Observation System as the platform to collect, organize, visualize, archive, and disseminate marine mammal stranding and health data;
- (D) a list of publications, presentations, or other relevant work product resulting from, or produced in collaboration with, the Health MAP;
- (E) a description of emerging marine mammal health concerns and the applicability of those concerns to human health;
- (F) an analysis of the feasibility of the Observation System being used as an alert system during stranding events, entanglement events, and unusual mortality events for the stranding network, Observation System partners, Health MAP partners, Federal and State agencies, and local and Tribal governments;

(G) an evaluation of the use of Health MAP data to predict broader ecosystem events and changes that may impact marine mammal or human health and specific examples of proven or potential uses of Observation System data for those purposes; and

(H) recommendations for the Health MAP with respect to—

- (i) filling any identified data gaps;
- (ii) standards that could be used to improve data quality, accessibility, transmission, interoperability, and sharing;
- (iii) any other strategies that would contribute to the effectiveness and usefulness of the Health MAP; and
- (iv) the funding levels needed to maintain and improve the Health MAP.

(c) Data gap analysis

(1) In general

Not later than 5 years after the date on which the report required under subsection (b)(1) is submitted, and every 10 years thereafter, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Marine Mammal Commission and the Director of the United States Fish and Wildlife Service, shall—

- (A) make publicly available a report on the data gap analysis described in paragraph (2); and
- (B) provide a briefing to the appropriate committees of Congress concerning that data gap analysis.

(2) Requirements

The data gap analysis under paragraph (1) shall include—

- (A) an overview of existing participants within a marine mammal stranding network;
- (B) an identification of coverage needs and participant gaps within a network;
- (C) an identification of data and reporting gaps from members of a network; and
- (D) an analysis of how stranding and health data are shared and made available to scientists, academics, State, local, and Tribal governments, and the public.

(d) Marine mammal response capabilities in the Arctic

(1) In general

Not later than 1 year after December 23, 2022, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, and the Director of the United States Geologic Survey, in consultation with the Marine Mammal Commission, shall—

- (A) make publicly available a report describing the response capabilities for sick and injured marine mammals in the Arctic regions of the United States; and
- (B) provide a briefing to the appropriate committees of Congress on that report.

(2) Arctic

The term “Arctic” has the meaning given the term in section 4111 of title 15.

(3) Requirements

The report under paragraph (1) shall include—