

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. MARKEY (for himself, Mr. CORNYN, Mr. VAN HOLLEN, Mr. GRAHAM, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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 2023”.

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, including  
15 tagging information, from stranded marine turtles  
16 for scientific research or assessments, or both, that  
17 inform the understanding of causes of mortality; 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 strandings that occurred in  
2 each stranding region in the preceding 5 years;

3           (2) region-specific factors that increase risks of  
4 strandings; and

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

9 (e) APPLICATIONS.—

10           (1) IN GENERAL.—An applicant for a grant  
11 under this section that is an eligible applicant de-  
12 scribed in paragraph (2) shall submit an application  
13 in such form and manner as the Secretary shall pre-  
14 scribe.

15           (2) ELIGIBLE APPLICANTS.—An entity is an eli-  
16 gible applicant if the entity is—

17           (A) a nonprofit member of the Sea Turtle  
18 Stranding and Salvage Network ;

19           (B) an Indian Tribe;

20           (C) an institution of higher education; or

21           (D) another public or private organization  
22 with an established record in the rescue, recov-  
23 ery, rehabilitation, transportation, or release of  
24 stranded marine turtles.

25 (f) GRANT CRITERIA.—

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

7           (2) STAKEHOLDER ENGAGEMENT.—As part of  
8           the process for developing and finalizing criteria  
9           under paragraph (1), the Secretary shall, in con-  
10          sultation with the Director of the United States Fish  
11          and Wildlife Service, provide opportunities for en-  
12          gagement with representatives from—

13                   (A) stranding regions;

14                   (B) Indian Tribes;

15                   (C) institutions of higher education; and

16                   (D) public or private organizations with an  
17          established record in—

18                           (i) the rescue, recovery, rehabilitation,  
19                           transportation, or release of stranded ma-  
20                           rine turtles; or

21                           (ii) scientific research, marine con-  
22                           servation, or forensic science, with respect  
23                           to stranded marine turtles.

24          (3) REQUIRED CRITERIA.—In developing cri-  
25          teria under paragraph (1), the Secretary shall

1       prioritize awarding grants to applicants with an es-  
2       tablished record of rescuing, recovering, rehabili-  
3       tating, transporting, or releasing stranded marine  
4       turtles or conducting scientific research pertinent to  
5       the causes of strandings.

6       (g) ACCEPTANCE OF DONATIONS.—For the purposes  
7       of carrying out this section, the Secretary may solicit, ac-  
8       cept, receive, hold, administer, and use gifts, devises, and  
9       bequests without any further approval or administrative  
10      action.

11      (h) LIABILITY WAIVER .—

12           (1) IN GENERAL.—A person who is acting  
13      under the authority of an entity awarded a grant  
14      under this section is deemed to be an employee of  
15      the government for purposes of chapter 171 of title  
16      28, United States Code, with respect to actions of  
17      the person that—

18                   (A) are in support of rescue, recovery, re-  
19                   habilitation, transportation, or release efforts;

20                   (B) are in accordance with the purposes of  
21                   subsection (c); and

22                   (C) reflect sound professional judgment  
23                   and are consistent with the directions of any  
24                   on-site coordinator or incident commander.

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

5           (i) AUTHORIZATION OF APPROPRIATIONS.—There  
6           are authorized to be appropriated to the Secretary to carry  
7           out this section \$5,000,000 for each of fiscal years 2024  
8           through 2029 to remain available until expended.

9           (j) DEFINITIONS.—In this section:

10           (1) INDIAN TRIBE.—The term “Indian Tribe”  
11           has the meaning given the term in section 4 of the  
12           Indian Self-Determination and Education Assistance  
13           Act (25 U.S.C. 5304).

14           (2) INSTITUTION OF HIGHER EDUCATION .—

15           (A) IN GENERAL.—The term “institution  
16           of higher education” means an educational in-  
17           stitution in any State, district, commonwealth,  
18           territory, or possession of the United States,  
19           which—

20                   (i) admits as regular students only  
21                   persons having a certificate of graduation  
22                   from a school providing secondary edu-  
23                   cation, or the recognized equivalent of such  
24                   a certificate;

1                   (ii) is legally authorized within such  
2                   State, district, commonwealth, territory, or  
3                   possession to provide a program of edu-  
4                   cation beyond secondary education;

5                   (iii) provides an educational program  
6                   for which a bachelor's degree or any other  
7                   higher degree is awarded;

8                   (iv) is a public or other nonprofit in-  
9                   stitution; and

10                  (v) is accredited by a nationally recog-  
11                  nized accrediting agency or association.

12                  (B) INCLUSIONS.—The term “institution  
13                  of higher education” includes a research foun-  
14                  dation maintained by an institution of higher  
15                  education described in subparagraph (A).

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

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

22                  (5) SECRETARY.—The term “Secretary” means  
23                  the Secretary of Commerce.

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

- 1 (A) a marine turtle is dead and is—
- 2 (i) on a beach or shore of the United
- 3 States;
- 4 (ii) in State, district, commonwealth,
- 5 territory, or possession, or Federal, waters
- 6 of the United States; or
- 7 (iii) outside of its natural habitat and
- 8 is in the United States; or
- 9 (B) a marine turtle is alive and is—
- 10 (i) on a beach or shore of the United
- 11 States and in need of medical attention or
- 12 other necessary intervention to aid its like-
- 13 lihood of survival;
- 14 (ii) in State, district, commonwealth,
- 15 territory, or possession, or Federal, waters
- 16 of the United States and in need of med-
- 17 ical attention or other necessary interven-
- 18 tion to aid its likelihood of survival; or
- 19 (iii) outside of its natural habitat, is
- 20 unable to return unassisted, and is in the
- 21 United States.

22 (7) STRANDING REGION.—The term “stranding

23 region” means a geographic region designated by the

24 Secretary under subsection (b).



1           (8) UNITED STATES.—The term “United  
2 States” means any land or water of the several  
3 States of the United States, the District of Colum-  
4 bia, the Commonwealth of Puerto Rico, Guam,  
5 American Samoa, the United States Virgin Islands,  
6 the Commonwealth of the Northern Mariana Is-  
7 lands, and any other commonwealth, territory, or  
8 possession over which the United States has jurisdic-  
9 tion, including internal waters, State waters, the ter-  
10 ritorial sea, and the exclusive economic zone of the  
11 United States.