

mal tissues collected for and maintained in the Tissue Bank.

(2) Contents

The data base established under this subsection shall include—

(A) reference data on the health of marine mammals and populations of marine mammals; and

(B) data on species of marine mammals that are subject to unusual mortality events.

(d) Access

The Secretary shall, in consultation with the Secretary of the Interior, establish criteria, after an opportunity for public review and comment, for access to—

(1) marine mammal tissues in the Tissue Bank;

(2) analyses conducted pursuant to subsection (b) of this section; and

(3) marine mammal data in the data base maintained under subsection (c) of this section;

which provide for appropriate uses of the tissues, analyses, and data by qualified scientists, including stranding network participants.

(Pub. L. 92-522, title IV, § 407, formerly title III, § 307, as added Pub. L. 102-587, title III, § 3003(a), Nov. 4, 1992, 106 Stat. 5065; renumbered title IV, § 407, Pub. L. 103-238, § 24(b), Apr. 30, 1994, 108 Stat. 565.)

§ 1421f-1. John H. Prescott Marine Mammal Rescue Assistance Grant Program

(a) In general

(1) Subject to the availability of appropriations, the Secretary shall conduct a grant program to be known as the John H. Prescott Marine Mammal Rescue Assistance Grant Program, to provide grants to eligible stranding network participants for the recovery or treatment of marine mammals, the collection of data from living or dead stranded marine mammals for scientific research regarding marine mammal health, and facility operation costs that are directly related to those purposes.

(2)(A) The Secretary shall ensure that, to the greatest extent practicable, funds provided as grants under this subsection are distributed equitably among the stranding regions designated as of December 21, 2000, and in making such grants shall give preference to those facilities that have established records for rescuing or rehabilitating sick and stranded marine mammals in each of the respective regions, or subregions.

(B) In determining priorities among such regions, the Secretary may consider—

(i) any episodic stranding or any mortality event other than an event described in section 1421h(6) of this title, that occurred in any region in the preceding year;

(ii) data regarding average annual strandings and mortality events per region; and

(iii) the size of the marine mammal populations inhabiting a geographic area within such a region.

(b) Application

To receive a grant under this section, a stranding network participant shall submit an

application in such form and manner as the Secretary may prescribe.

(c) Consultation

The Secretary shall consult with the Marine Mammal Commission, a representative from each of the designated stranding regions, and other individuals who represent public and private organizations that are actively involved in rescue, rehabilitation, release, scientific research, marine conservation, and forensic science regarding stranded marine mammals, regarding the development of criteria for the implementation of the grant program and the awarding of grants under the program.

(d) Limitation

The amount of a grant under this section shall not exceed \$100,000.

(e) Matching requirement

(1) In general

The non-Federal share of the costs of an activity conducted with a grant under this section shall be 25 percent of such costs.

(2) In-kind contributions

The Secretary may apply to the non-Federal share of an activity conducted with a grant under this section the amount of funds, and the fair market value of property and services, provided by non-Federal sources and used for the activity.

(f) Administrative expenses

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.

(g) Definitions

In this section:

(1) Designated stranding region

The term “designated stranding region” means a geographic region designated by the Secretary for purposes of administration of this subchapter.

(2) Secretary

The term “Secretary” has the meaning given that term in section 1362(12)(A) of this title.

(h) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2001 through 2003, to remain available until expended, of which—

(1) \$4,000,000 may be available to the Secretary of Commerce; and

(2) \$1,000,000 may be available to the Secretary of the Interior.

(Pub. L. 92-522, title IV, § 408, as added Pub. L. 106-555, title II, § 202(a)(2), Dec. 21, 2000, 114 Stat. 2767.)

PRIOR PROVISIONS

A prior section 408 of Pub. L. 92-522 was renumbered section 409, and is classified to section 1421g of this title.

§ 1421g. Authorization of appropriations

There is authorized to be appropriated—