

S. 1289, Marine Mammal Research and Response Act of 2021

As ordered reported by the Senate Committee on Commerce, Science, and Transportation on May 12, 2021

By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	6	46	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 1289 would reauthorize and amend the Marine Mammal Protection Act of 1972 (MMPA) and would authorize the appropriation of specific amounts through the 2026 period for the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior (DOI) to conduct specific activities. The bill would authorize the appropriation of the following amounts over the 2022-2026 period to carry out several provisions of the MMPA:

- \$30 million for NOAA to conduct its portion of the John H. Prescott Marine Mammal Rescue and Response Program,
- \$5 million for DOI to conduct its portion of the same program,
- \$2.5 million for a new rapid response fund to provide emergency assistance for marine mammal rescue and response,
- \$2.5 million for the Marine Mammal Unusual Mortality Event Fund to compensate emergency responders in the event of large, unexpected die-offs of marine mammals,
- \$1.25 million for the operations of the National Marine Mammal Tissue Bank, and
- \$1.25 million for NOAA to create and maintain a publicly accessible national database to monitor marine mammal health and to comply with other existing and new administrative requirements of the MMPA.

The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

Table 1.
Estimated Increases in Spending Subject to Appropriation Under S. 1289

	By Fiscal Year, Millions of Dollars					2022-2026
	2022	2023	2024	2025	2026	
Specified Programs						
Authorization	9	9	9	9	9	43
Estimated Outlays	5	7	8	9	9	37
Other Requirements						
Estimated Authorization	2	2	2	2	2	10
Estimated Outlays	1	2	2	2	2	9
Total Changes						
Estimated Authorization	11	11	11	11	11	53
Estimated Outlays	6	9	10	11	11	46

Components may not sum to totals because of rounding.

CBO assumes that the bill will be enacted by the end of calendar year 2021. Estimated outlays are based on historical spending patterns for existing and similar programs. CBO estimates implementing S. 1289 would cost \$46 million over the 2022-2026 period, assuming appropriation of authorized and estimated amounts.

As mentioned above, S. 1289 would authorize the appropriation of \$1.25 million over the 2022-2026 period for existing and new administrative requirements of the MMPA. The bill would add requirements for NOAA to develop a database and complete additional reports, including a report on how different factors affect the mortality of marine mammals. Using information from NOAA, CBO estimates that the agency would need an additional \$2 million annually to meet the new administrative requirements at a cost of \$9 million over the 2022-2026 period.

S. 1289 would allow NOAA to accept and spend, without further appropriation, monetary gifts to the Prescott grant program. Those gifts would be recorded as offsetting receipts, which are treated as reductions in direct spending. CBO estimates that the net change in direct spending would be negligible because any gifts would be spent soon after they are received.

The bill also would allow NOAA to deposit into the Marine Mammal Unusual Mortality Event Fund amounts collected as fines for violating the MMPA. Under current law, those fines can be spent without further appropriation to protect certain marine mammals. CBO estimates that enacting that provision would increase direct spending by expanding the

purposes for which those fines could be spent but that the increase would not be significant in any year or over the 2022-2031 period.

The CBO staff contact for this estimate is Madeleine Fox. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.