

TITLE 16 - CONSERVATION**CHAPTER 14A - WHALE CONSERVATION AND PROTECTION****§ 917a. Study by Secretary of Commerce; report to Congress**

The Secretary of Commerce, in consultation with the Marine Mammal Commission and the coastal States, shall undertake comprehensive studies of all whales found in waters subject to the jurisdiction of the United States, including the fishery conservation zone as defined in section 1802 (8)¹ of this title. Such studies shall take into consideration all relevant factors regarding

- (1) the conservation and protection of all such whales,
- (2) the distribution, migration patterns, and population dynamics of these mammals, and
- (3) the effects on all such whales of habitat destruction, disease, pesticides, and other chemicals, disruption of migration patterns, and food shortages for the purpose of developing adequate and effective measures, including appropriate laws and regulations, to conserve and protect such mammals. The Secretary of Commerce shall report on such studies, together with such recommendations as he deems appropriate, including suggested legislation, to the Congress no later than January 1, 1980.

Footnotes

¹ See References in Text note below.

(Pub. L. 94–532, § 3, Oct. 17, 1976, 90 Stat. 2491.)

References in Text

Section 1802 (8) of this title, referred to in text, which defined “fishery conservation zone”, was repealed and section 1802 (6) of this title, defining “exclusive economic zone”, was added by Pub. L. 99–659, title I, § 101(a), Nov. 14, 1986, 100 Stat. 3706. Section 1802 was subsequently amended and the term “exclusive economic zone” is defined elsewhere in that section.

Study of Eastern Gray Whale Population

Pub. L. 106–562, title IV, § 401, Dec. 23, 2000, 114 Stat. 2807, provided that:

“(a) Study.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2000] and subject to the availability of appropriations, the Secretary of Commerce shall initiate a study of the environmental and biological factors responsible for the significant increase in mortality events of the eastern gray whale population, and the other potential impacts these factors may be having on the eastern gray whale population.

“(b) Consideration of Western Population Information.—The Secretary should ensure that, to the greatest extent practicable, information from current and future studies of the western gray whale population is considered in the study under this section, so as to better understand the dynamics of each population and to test different hypotheses that may lead to an increased understanding of the mechanism driving their respective population dynamics.

“(c) Authorization of Appropriations.—In addition to other amounts authorized under this title [this note], there are authorized to be appropriated to the Secretary to carry out this section—

“(1) \$290,000 for fiscal year 2001; and

“(2) \$500,000 for each of fiscal years 2002 through 2004.”

Substantially identical provisions were contained in Pub. L. 106–555, title II, § 203, Dec. 21, 2000, 114 Stat. 2768.