

**AMENDMENT TO H.R. 4365, AS REPORTED
OFFERED BY MR. SMITH OF NEW JERSEY**

At the end of the bill (before the short title), insert
the following:

1 **SEC. 8155. CERTIFICATION AND REPORT BY INSPECTOR**
2 **GENERAL RELATING TO RADAR IMPACTS**
3 **AND OFFSHORE WIND DEVELOPMENT AP-**
4 **PROVAL PROCESS.**

5 (a) CERTIFICATION.—Not later than 90 days after
6 the date of enactment of this Act, the President, or his
7 designee, shall certify in writing that—

8 (1) offshore wind projects in the North Atlantic
9 and Mid-Atlantic Planning areas will not weaken,
10 degrade interfere with, or nullify the performance
11 and capabilities of radar relied upon by commercial
12 aviation, military aviation, space launch vehicles, or
13 other commercial space entities; and

14 (2) the development of offshore wind projects in
15 the North Atlantic and Mid-Atlantic Planning Areas
16 will not degrade the capabilities of the Federal Avia-
17 tion Administration to monitor United States Air-
18 space, or hinder commercial, private, or military
19 aviation activities.

1 (b) AUDIT AND REPORT BY INSPECTOR GENERAL.—

2 (1) IN GENERAL.—The inspector general of De-
3 partment of Transportation shall conduct a study on
4 the effects of offshore wind industrialization related
5 to radar, impacts to commercial air and military
6 traffic, and the sufficiency of the review and ap-
7 proval process for offshore wind projects in the
8 North Atlantic and Mid-Atlantic Planning Areas.

9 (2) CONTENTS.—In conducting the study re-
10 quired under paragraph (1), the inspector general
11 shall—

12 (A) investigate—

13 (i) the sufficiency of the process for
14 approving offshore wind projects, and the
15 impact of such projects on radar, including
16 the consultation process between the Bu-
17 reau of Ocean Energy Management, the
18 Federal Aviation Administration, and the
19 Military Aviation and Installation Assur-
20 ance Siting Clearinghouse;

21 (ii) whether concerns voiced by the
22 Administrator of the Federal Aviation Ad-
23 ministration and the United States Armed
24 Forces were sufficiently considered in the
25 approval process; and

1 (iii) whether offshore wind projects
2 will weaken, compromise, or interfere with,
3 or nullify the usage of radar utilized by the
4 Federal Aviation Administration, United
5 States Armed Forces, and National Aero-
6 nautics and Space Administration, as well
7 as commercial space entities;

8 (B) conduct an audit of the approval appli-
9 cations by the Military Aviation and Installation
10 Assurance Siting Clearinghouse regarding con-
11 cerns voiced over the impact to radar and abil-
12 ity to identify airborne threats, freedom to navi-
13 gate United States airspace, and ability to train
14 within United States airspace;

15 (C) determine whether any offshore wind
16 projects will impact, alter, or disrupt commer-
17 cial, private, or military aviation flight paths;

18 (D) determine whether any offshore wind
19 projects will impact, compromise, inhibit, or
20 nullify the usage of radar and sonar tech-
21 nologies utilized by the Armed Forces and any
22 agencies carrying out space launch programs;

23 (E) determine whether any offshore wind
24 projects will impact, compromise, or inhibit the
25 ability of the United States Coast Guard to

1 conduct maritime safety and lifesaving oper-
2 ations;

3 (F) address how offshore wind energy
4 projects impact low-level military airspace off
5 the Atlantic Coast; and

6 (G) determine whether mitigation strate-
7 gies laid out in the 2016 Report on the Impact
8 of Wind Energy Developments on Military In-
9 stallations are sufficient, achievable and, real-
10 istic.

11 (3) REPORT.—The inspector general shall sub-
12 mit to Congress a report containing the findings of
13 the study conducted under this subsection.

