AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MR. VAN DREW OF NEW JERSEY

At the end of subtitle C of title XVIII, add the following:

SEC. ___. PROPOSED RULE ON VESSEL SPEED REDUCTION IN NORTH ATLANTIC RIGHT WHALE ZONES.

(a) IN GENERAL.—The Commandant of the Coast Guard shall not make use of Automatic Identification System (AIS) data, information, or transmissions from vessels not identified under sections 164.01, 164.02, or 164.46(b) of title 33, Code of Federal Regulations, as the primary means of enforcing, assisting, or cooperating with regulations of any Federal agency on any vessel for which AIS is not required as of January 1, 2023.

(b) ENFORCEMENT.—The Commandant shall not enforce vessel speed reduction rules related to marine mammals unless the following requirements have been met in the rulemaking process:

(1) The Administrator of the National Oceanic and Atmospheric Administration has consulted with the Commandant and incorporated its input regard-
ing enforcement capabilities and boating safety implications of the proposed rule.

(2) The Administrator and the Commandant have jointly consulted with the National Boating Safety Advisory Committee (NBSAC) and the Sport Fishing and Boating Partnership Council (SFBPC) regarding implications of new Marine Mammal Protection Act (MMPA) related regulations that would require Coast Guard enforcement and any proposed regulations that would alter, impose, or limit navigation or vessel speeds or any other action that would involve boating safety matters.

(3) The Administrator consults with Department of Commerce Bureau of Economic Analysis to produce accurate economic impact estimates associated with MMPA regulations that would alter, impose, or limit navigation or vessel speeds or any other action that would involve boating safety matters.

(c) STUDY AND REPORT.—

(1) IN GENERAL.—The Commandant shall conduct a study on resource and budgetary needs for monitoring and enforcing standing North Atlantic Right Whale vessel speed restrictions, including but not limited to patrol vessel and aircraft fleets, en-
forcement personnel, utilization of vessel traffic services and surveillance technologies, and partnerships and reporting.

(2) REPORT.—The Commandant shall submit the results of the study required under paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives.