

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MR. VAN DREW OF NEW JERSEY

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

1 **SEC. ____ . PROPOSED RULE ON VESSEL SPEED REDUCTION**
2 **IN NORTH ATLANTIC RIGHT WHALE ZONES.**

3 (a) **IN GENERAL.**—The Commandant of the Coast
4 Guard shall not make use of Automatic Identification Sys-
5 tem (AIS) data, information, or transmissions from ves-
6 sels not identified under sections 164.01, 164.02, or
7 164.46(b) of title 33, Code of Federal Regulations, as the
8 primary means of enforcing, assisting, or cooperating with
9 regulations of any Federal agency on any vessel for which
10 AIS is not required as of January 1, 2023.

11 (b) **ENFORCEMENT.**—The Commandant shall not en-
12 force vessel speed reduction rules related to marine mam-
13 mals unless the following requirements have been met in
14 the rulemaking process:

15 (1) The Administrator of the National Oceanic
16 and Atmospheric Administration has consulted with
17 the Commandant and incorporated its input regard-

1 ing enforcement capabilities and boating safety im-
2 plications of the proposed rule.

3 (2) The Administrator and the Commandant
4 have jointly consulted with the National Boating
5 Safety Advisory Committee (NBSAC) and the Sport
6 Fishing and Boating Partnership Council (SFBPC)
7 regarding implications of new Marine Mammal Pro-
8 tection Act (MMPA) related regulations that would
9 require Coast Guard enforcement and any proposed
10 regulations that would alter, impose, or limit naviga-
11 tion or vessel speeds or any other action that would
12 involve boating safety matters.

13 (3) The Administrator consults with Depart-
14 ment of Commerce Bureau of Economic Analysis to
15 produce accurate economic impact estimates associ-
16 ated with MMPA regulations that would alter, im-
17 pose, or limit navigation or vessel speeds or any
18 other action that would involve boating safety mat-
19 ters.

20 (c) STUDY AND REPORT.—

21 (1) IN GENERAL.—The Commandant shall con-
22 duct a study on resource and budgetary needs for
23 monitoring and enforcing standing North Atlantic
24 Right Whale vessel speed restrictions, including but
25 not limited to patrol vessel and aircraft fleets, en-

1 enforcement personnel, utilization of vessel traffic serv-
2 ices and surveillance technologies, and partnerships
3 and reporting.

4 (2) REPORT.—The Commandant shall submit
5 the results of the study required under paragraph
6 (1) to the Committee on Transportation and Infra-
7 structure of the House of Representatives.

