

118TH CONGRESS
2D SESSION

H. R. 10292

To require the Secretary of Commerce to produce distribution maps for certain species of whales, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2024

Ms. MATSUI (for herself, Ms. MALLIOTAKIS, Mr. HUFFMAN, and Mr. BUCHANAN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of Commerce to produce distribution maps for certain species of whales, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Whale Conservation
5 Habitat Analysis, Research, and Technical Strategies Act
6 of 2024” or “Whale CHARTS Act of 2024”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) BALEEN WHALE.—The term “baleen
2 whale” means each species within the suborder
3 *Mysticeti*.

4 (2) MARINE MAMMAL COMMISSION.—The term
5 “Marine Mammal Commission” means the Marine
6 Mammal Commission established by section 201(a)
7 of the Marine Mammal Protection Act of 1972 (16
8 U.S.C. 1401(a)).

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of Commerce, acting through the Ad-
11 ministrator of the National Oceanic and Atmos-
12 pheric Administration.

13 (4) SPERM WHALE.—The term “sperm whale”
14 means the species *Physeter macrocephalus*.

15 (5) WATERS UNDER THE JURISDICTION OF THE
16 UNITED STATES.—The term “waters under the ju-
17 risdiction of the United States” has the meaning
18 given the term in section 3 of the Marine Mammal
19 Protection Act of 1972 (16 U.S.C. 1362).

20 **SEC. 3. DISTRIBUTION MAPPING OF CERTAIN SPECIES OF**
21 **WHALES.**

22 (a) IN GENERAL.—The Secretary, in consultation
23 with the Marine Mammal Commission, shall produce for
24 stocks, populations, or species, as the Secretary deter-

1 mines appropriate, of baleen whale and sperm whale with-
2 in waters under the jurisdiction of the United States—

3 (1) distribution maps of high accuracy and spa-
4 tial and temporal resolution; and

5 (2) predictive distribution maps of high accu-
6 racy and spatial and temporal resolution that take
7 into account expected future environmental condi-
8 tions.

9 (b) DUTIES.—In carrying out subsection (a), the Sec-
10 retary—

11 (1) shall—

12 (A) use the best scientific information
13 available;

14 (B) conduct or support, including through
15 grants or other financial assistance, research to
16 fill knowledge gaps, which may include—

17 (i) developing novel sources of data,
18 such as passive acoustic monitoring or de-
19 tection through satellite and drone im-
20 agery; and

21 (ii) developing innovative methodolo-
22 gies to combine different sources of whale
23 detection data and to improve marine
24 mammal distribution and habitat modeling;

1 (C) include in each map produced under
2 such subsection, as applicable—

- 3 (i) calving grounds;
- 4 (ii) feeding grounds;
- 5 (iii) migration routes; and
- 6 (iv) other habitat uses;

7 (D) as needed, use current and novel
8 sources of data, such as passive acoustic moni-
9 toring and detection through satellite or drone
10 imagery;

11 (E) make each map produced under such
12 subsection available—

13 (i) through—

14 (I) electronic and machine read-
15 able formats that can be integrated
16 into on-board vessel navigation sys-
17 tems, including—

18 (aa) electronic navigational
19 products of the National Oceanic
20 and Atmospheric Administration,
21 as appropriate;

22 (bb) an online platform for
23 the general public; and

24 (cc) in coordination with the
25 Commandant of the Coast

1 Guard, carriage requirements set
2 by the Commandant of the Coast
3 Guard for commercial or rec-
4 reational vessels;

5 (II) in coordination with the
6 Commandant of the Coast Guard,
7 other formats not specified under sub-
8 clause (I) that may be required in car-
9 riage requirements set by the Com-
10 mandant of the Coast Guard for com-
11 mercial or recreational vessels, as ap-
12 propriate; and

13 (III) other formats the Secretary
14 determines appropriate; and

15 (ii) to other entities that produce
16 products or publications included in the
17 carriage requirements set by the Com-
18 mandant of the Coast Guard for commer-
19 cial or recreational vessels, as appropriate;
20 and

21 (F) require the heads of the National Oce-
22 anic and Atmospheric Administration line of-
23 fices to coordinate the work of such offices, as
24 needed; and

1 (2) may, in making use of amounts appro-
2 priated to carry out this section pursuant to section
3 7 and in consultation with the Marine Mammal
4 Commission, determine—

5 (A) which stocks, populations, or species of
6 baleen whale and sperm whale to prioritize; and

7 (B) whether to prioritize the collection and
8 aggregation of new data or the processing, anal-
9 ysis, aggregation and modeling of existing data.

10 **SEC. 4. UNDERSTUDIED SPECIES SURVEYS.**

11 (a) IN GENERAL.—The Secretary, in consultation
12 with the Marine Mammal Commission, shall conduct sur-
13 veys specific to understudied stocks, populations, or spe-
14 cies, as the Secretary determines appropriate, of baleen
15 whale within waters under the jurisdiction of the United
16 States to estimate the abundance and distribution of each
17 such stock, population, or species.

18 (b) DUTIES.—In carrying out subsection (a), the Sec-
19 retary—

20 (1) shall—

21 (A) include in each map produced under
22 such subsection, as applicable, potential—

23 (i) calving grounds;

24 (ii) feeding grounds;

25 (iii) migration routes; and

1 (iv) other habitat uses; and

2 (B) as needed, use current and novel
3 sources of data; and

4 (2) may—

5 (A) as the Secretary determines appro-
6 priate, collect opportunistic data on other ma-
7 rine species; and

8 (B) in making use of amounts appro-
9 priated to carry out this section pursuant to
10 section 7 and in consultation with the Marine
11 Mammal Commission, determine which stocks,
12 populations, or species of baleen whale to
13 prioritize.

14 **SEC. 5. REPORT.**

15 Not later than 2 years after the date of the enact-
16 ment of this Act, and every 3 years thereafter, the Sec-
17 retary, in consultation with the Marine Mammal Commis-
18 sion, shall submit to Congress and make available to the
19 public a report regarding—

20 (1) activities carried out under sections 3 and
21 4;

22 (2) knowledge gaps identified in carrying out
23 section 3; and

24 (3) progress made in filling knowledge gaps
25 identified in carrying out section 3.

1 **SEC. 6. EFFECT ON AND OF OTHER ACTIONS.**

2 The Secretary—

3 (1) shall carry out sections 3, 4, and 5 notwith-
4 standing any ongoing rulemakings; and

5 (2) may not delay any action, order, or rule-
6 making because of the requirements of this Act.

7 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) IN GENERAL.—There are authorized to be appro-
9 priated to the Secretary for each of fiscal years 2025
10 through 2029—

11 (1) to carry out section 3, \$2,000,000; and

12 (2) to carry out section 4, \$1,000,000.

13 (b) ADDITIONAL SOURCES OF FUNDING.—Subject to
14 the availability of appropriations, the Secretary may co-
15 ordinate with the Secretary of Defense, the Secretary of
16 the Interior, and the head of any other Federal agency
17 for any additional sources of funding to carry out sections
18 3 and 4.

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