

118TH CONGRESS
1ST SESSION

H. R. 5239

To prohibit the issuance of an interim or final rule that establishes a vessel slowdown zone in the Gulf of Mexico until the Secretary of Commerce completes a study demonstrating that proposed mitigation efforts would have no negative impact on supply chains, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 18, 2023

Mr. HIGGINS of Louisiana (for himself, Mr. DUNN of Florida, Mrs. LUNA, Mr. C. SCOTT FRANKLIN of Florida, and Mr. WEBSTER of Florida) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To prohibit the issuance of an interim or final rule that establishes a vessel slowdown zone in the Gulf of Mexico until the Secretary of Commerce completes a study demonstrating that proposed mitigation efforts would have no negative impact on supply chains, 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 “The Gulf of Mexico
5 Commerce Protection Act”.

1 **SEC. 2. PROHIBITION ON ISSUANCE OF RULE RELATING TO**
2 **VESSEL SLOWDOWN ZONE IN GULF OF MEX-**
3 **ICO.**

4 (a) IN GENERAL.—The Administrator of the Na-
5 tional Oceanic and Atmospheric Administration shall not
6 issue an interim or final rule that establishes a vessel slow-
7 down zone in the Gulf of Mexico until the Secretary of
8 Commerce—

9 (1) completes a study demonstrating that miti-
10 gation protocols developed under subsection (b)
11 would have no net negative impact on supply chains
12 or maritime commerce; and

13 (2) not later than 60 days after completing
14 such study, submits to the Committees on Energy
15 and Commerce and Natural Resources of the House
16 of Representatives and the Committees on Com-
17 merce, Science, and Transportation and Natural Re-
18 sources of the Senate a report containing the find-
19 ings of such study.

20 (b) MITIGATION PROTOCOLS REQUIRED.—

21 (1) IN GENERAL.—The Under Secretary of
22 Commerce for Oceans and Atmosphere, in consulta-
23 tion with the Secretary of the department in which
24 the Coast Guard is operating, the Secretary of De-
25 fense, the Secretary of Transportation, and the Sec-
26 retary of the Interior, and with input from affected

1 stakeholders, shall develop mitigation protocols that
2 make use of any monitoring system designed under
3 section 11303 of the Don Young Coast Guard Au-
4 thorization Act of 2022 (16 U.S.C. 1391) to direct
5 sector-specific mitigation measures that reduce risk
6 of serious injury and mortality to Rice’s whales in
7 the Gulf of Mexico.

8 (2) PROHIBITIONS.—The mitigation protocols
9 developed under paragraph (1) may not include any
10 prohibitions on transit at night or implementation of
11 a static vessel slowdown zone.

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