

119TH CONGRESS
2^D SESSION

H. R. 7332

To amend the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 to provide for a mapping, surveying, monitoring, and mitigation program for migratory whales and other large cetaceans.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2026

Ms. MATSUI (for herself, Ms. MALLIOTAKIS, Ms. DEXTER, Mr. BUCHANAN, Ms. ELFRETH, Mr. CARTER of Georgia, Ms. BONAMICI, Mr. RUTHERFORD, Mr. QUIGLEY, Mrs. RADEWAGEN, Mr. HUFFMAN, Ms. KING-HINDS, Mr. MOULTON, Mr. BILIRAKIS, Mr. KRISHNAMOORTHY, Mrs. KIGGANS of Virginia, Ms. BROWNLEY, Mr. FITZPATRICK, Mr. SMITH of Washington, Mr. MOYLAN, Mr. SUOZZI, and Ms. MACE) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 to provide for a mapping, surveying, monitoring, and mitigation program for migratory whales and other large cetaceans.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whale CHARTS Act
3 of 2026”.

4 **SEC. 2. MAPPING, SURVEYING, MONITORING, AND MITIGA-**
5 **TION PROGRAM FOR MIGRATORY WHALES**
6 **AND OTHER LARGE CETACEANS.**

7 (a) IN GENERAL.—Section 11303 of the James M.
8 Inhofe National Defense Authorization Act for Fiscal Year
9 2023 (16 U.S.C. 1391) is amended—

10 (1) in the heading, by striking “NEAR REAL-
11 TIME MONITORING AND MITIGATION PRO-
12 GRAM FOR” and inserting “MAPPING, SUR-
13 VEYING, MONITORING, AND MITIGATION
14 PROGRAM FOR MIGRATORY WHALES AND
15 OTHER”;

16 (2) in subsection (a)—

17 (A) by striking “near real-time moni-
18 toring” and inserting “mapping, surveying,
19 monitoring,”;

20 (B) by striking “(referred to in this section
21 as the ‘Program’)”; and

22 (C) by striking “threatened or endan-
23 gered” and inserting “migratory whales and
24 other large”;

25 (3) in subsection (b)—

1 (A) by inserting “migratory whales and
2 other” before “large cetaceans posed”;

3 (B) by inserting “migratory whales and
4 other” before “large cetaceans through”; and

5 (C) by striking “the use of near real-time
6 location monitoring and location information”
7 and inserting the following: “increased and im-
8 proved data collection, including—

9 “(1) mapping and surveying of migratory
10 whales;

11 “(2) monitoring of large cetaceans; and

12 “(3) the development of detection technologies
13 for migratory whales and other large cetaceans.”;

14 (4) by redesignating subsections (e) through (i)
15 as subsections (g) through (k), respectively;

16 (5) by redesignating subsection (c) as sub-
17 section (f);

18 (6) in subsection (f), as so redesignated—

19 (A) in the heading, by striking “RE-
20 QUIREMENTS” and inserting “NEAR
21 REAL-TIME MONITORING AND MITIGA-
22 TION SUBPROGRAM FOR LARGE
23 CETACEANS”;

24 (B) by redesignating paragraphs (1)
25 through (6) as subparagraphs (A) through (F),

1 respectively (and by adjusting the margins of
2 such subparagraphs accordingly);

3 (C) by striking “The Program” and insert-
4 ing the following:

5 “(3) REQUIREMENTS.—The Subprogram”;

6 (D) by inserting before paragraph (3), as
7 so redesignated, the following:

8 “(1) ESTABLISHMENT.—The Under Secretary,
9 in coordination with the heads of other relevant Fed-
10 eral agencies, shall design and deploy a cost-effec-
11 tive, efficient, and results-oriented near real-time
12 monitoring and mitigation subprogram for threat-
13 ened or endangered cetaceans.

14 “(2) PURPOSE.—The purpose of the Subpro-
15 gram shall be to reduce the risk to large cetaceans
16 posed by vessel collisions and to minimize other im-
17 pacts on large cetaceans through the use of near
18 real-time location monitoring and location informa-
19 tion.”; and

20 (E) in paragraph (3)(F), as so redesign-
21 ated, by striking “subsection (d)” and insert-
22 ing “paragraph (4)”;

23 (7) in subsection (d)(4)(B)(ii)(II)(bb), to read
24 as follows:

1 “(bb) a strategic plan to ex-
2 pand the pilot project to provide
3 near real-time monitoring and
4 mitigation measures to additional
5 large cetaceans of concern for
6 which such measures would re-
7 duce risk of serious injury or
8 death and in important feeding,
9 breeding, calving, rearing, or mi-
10 gratory habitats of large
11 cetaceans that co-occur with
12 areas of high risk of mortality or
13 serious injury from vessel strikes
14 or disturbance;”;

15 (8) by redesignating subsection (d) as para-
16 graph (4) of subsection (f), as so redesignated (and
17 by adjusting the margin of paragraph (4) accord-
18 ingly);

19 (9) in subsection (f)(4), as so redesignated—

20 (A) in the heading, by striking “PILOT
21 PROJECT” and inserting “PILOT
22 PROJECT”;

23 (B) by redesignating paragraphs (1)
24 through (4) as subparagraphs (A) through (D),
25 respectively (and by redesignating any subdivi-

1 sions under such subparagraphs (as so redesign-
2 nated) to include adjusting the margins of such
3 subparagraphs (and their subdivisions) accord-
4 ingly);

5 (C) by striking “Program” each place it
6 appears and inserting “Subprogram”;

7 (D) in subparagraph (C), as so redesign-
8 nated, by striking “paragraph (2)” each place
9 it appears and inserting “subparagraph (B)”;
10 and

11 (E) in subparagraph (D)—

12 (i) in clause (i)(II), as so redesign-
13 nated, by striking “clause (i)” and insert-
14 ing “subclause (I)”;

15 (ii) in clause (ii)(II)—

16 (I) by striking “clause (i)” and
17 inserting “subclause (I)”;

18 (II) in item (aa), by striking
19 “subparagraph (A)” and inserting
20 “clause (i)”;

21 (10) by inserting after subsection (b) the fol-
22 lowing:

23 “(c) DISTRIBUTION MAPPING OF MIGRATORY
24 WHALES.—

1 “(1) IN GENERAL.—The Under Secretary, in
2 consultation with the Marine Mammal Commission,
3 shall produce for stocks, populations, or species, as
4 the Under Secretary determines appropriate, of mi-
5 gratory whales within waters under the jurisdiction
6 of the United States—

7 “(A) distribution maps of high accuracy
8 and spatial and temporal resolution; and

9 “(B) predictive distribution maps of high
10 accuracy and spatial and temporal resolution
11 that take into account expected future environ-
12 mental conditions.

13 “(2) DUTIES.—In carrying out paragraph (1),
14 the Under Secretary—

15 “(A) shall—

16 “(i) use the best scientific information
17 available;

18 “(ii) conduct or support research to
19 identify and fill knowledge gaps, which
20 may include—

21 “(I) developing novel sources of
22 data, such as passive acoustic moni-
23 toring, detection through satellite or
24 drone imagery, and other on-water
25 asset-based sensors; and

1 “(II) developing innovative meth-
2 odologies—

3 “(aa) to combine different
4 sources of migratory whale detec-
5 tion data; or

6 “(bb) to improve migratory
7 whale distribution and habitat
8 modeling;

9 “(iii) include in each map produced
10 under such paragraph, as applicable—

11 “(I) calving grounds;

12 “(II) mating grounds;

13 “(III) feeding grounds;

14 “(IV) migration routes; and

15 “(V) other habitat uses;

16 “(iv) as needed, use novel sources of
17 data described in clause (ii)(I) in addition
18 to current sources of data, such as visual
19 detection of migratory whales using aerial-
20 and vessel-based surveys;

21 “(v) make each map produced under
22 such paragraph available—

23 “(I) through—

24 “(aa) electronic and machine
25 readable formats that can be in-

1 tegrated into on-board vessel
2 navigation systems, including—

3 “(AA) electronic navi-
4 gational products of the Na-
5 tional Oceanic and Atmos-
6 pheric Administration, as
7 appropriate;

8 “(BB) an online plat-
9 form for the general public;
10 and

11 “(CC) in coordination
12 with the Commandant of the
13 Coast Guard, carriage re-
14 quirements set by the Com-
15 mandant of the Coast Guard
16 for commercial or rec-
17 reational vessels;

18 “(bb) in coordination with
19 the Commandant of the Coast
20 Guard, other formats not speci-
21 fied under item (aa) that may be
22 required in carriage requirements
23 set by the Commandant of the
24 Coast Guard for commercial or

1 recreational vessels, as appro-
2 priate; and

3 “(cc) other formats the
4 Under Secretary determines ap-
5 propriate; and

6 “(II) to other entities that
7 produce products or publications in-
8 cluded in the carriage requirements
9 set by the Commandant of the Coast
10 Guard for commercial or recreational
11 vessels, as appropriate; and

12 “(vi) require the heads of the Na-
13 tional Oceanic and Atmospheric Adminis-
14 tration line offices to coordinate the work
15 of such offices, as needed; and

16 “(B) may, in consultation with the Marine
17 Mammal Commission and non-Federal stake-
18 holders, including State and local governments,
19 research institutions, industry groups, and non-
20 governmental organizations, determine—

21 “(i) which stocks, populations, or spe-
22 cies of migratory whales to prioritize under
23 paragraph (1); and

24 “(ii) whether to prioritize the collec-
25 tion and aggregation of new data or the

1 processing, analysis, aggregation, and mod-
2 eling of existing data.

3 “(3) REVIEW.—Not later than 3 years after the
4 date of the enactment of this subsection and tri-
5 ennially thereafter, the Under Secretary shall, in
6 consultation with the Marine Mammal Commission
7 and non-Federal stakeholders, including State and
8 local governments, research institutions, industry
9 groups, and nongovernmental organizations, carry
10 out a review regarding whether the Under Secretary
11 should update any map produced under paragraph
12 (1) or produce any new map under paragraph (1).

13 “(d) UNDERSTUDIED SPECIES SURVEYS.—

14 “(1) IN GENERAL.—The Under Secretary, in
15 consultation with the Marine Mammal Commission,
16 shall conduct surveys specific to understudied stocks,
17 populations, or species, as the Under Secretary de-
18 termines appropriate, of migratory whales within
19 waters under the jurisdiction of the United States to
20 estimate the abundance and distribution of each
21 such stock, population, or species.

22 “(2) DUTIES.—In carrying out paragraph (1),
23 the Under Secretary—

24 “(A) shall—

1 “(i) identify in each survey conducted
2 under such paragraph, as applicable, po-
3 tential—

4 “(I) calving grounds;

5 “(II) mating grounds;

6 “(III) feeding grounds;

7 “(IV) migration routes; and

8 “(V) other habitat uses;

9 “(ii) indicate in each such survey the
10 degree of scientific certainty associated
11 with the identification of each area de-
12 scribed in subclauses (I) through (V) of
13 clause (i); and

14 “(iii) as needed, use current and novel
15 sources of data; and

16 “(B) may—

17 “(i) as the Under Secretary deter-
18 mines appropriate, collect opportunistic
19 data on other marine species; and

20 “(ii) determine, in consultation with
21 the Marine Mammal Commission and non-
22 Federal stakeholders, including State and
23 local governments, research institutions,
24 industry groups, and nongovernmental or-
25 ganizations, which stocks, populations, or

1 species of migratory whales to prioritize
2 under paragraph (1).

3 “(e) GRANT PROGRAM FOR DETECTION TECH-
4 NOLOGIES.—

5 “(1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this subsection,
7 the Under Secretary shall establish a competitive
8 grant program to award amounts, on an annual
9 basis, to eligible entities for the eligible uses de-
10 scribed in paragraph (5).

11 “(2) ADMINISTRATION.—The Under Secretary
12 shall enter into a cooperative agreement with the
13 Foundation pursuant to the National Fish and Wild-
14 life Foundation Establishment Act (16 U.S.C. 3701
15 et seq.) for the Foundation to manage and admin-
16 ister the grant program.

17 “(3) APPLICATIONS.—To be eligible for a grant
18 pursuant to this subsection, an eligible entity shall
19 submit to the Foundation an application in such
20 form, at such time, and containing such information
21 as the Foundation determines appropriate.

22 “(4) FUNDING.—

23 “(A) IN GENERAL.—After the Under Sec-
24 retary enters into a cooperative agreement with
25 the Foundation under paragraph (2)—

1 “(i) for each fiscal year, the Under
2 Secretary shall provide to the Foundation
3 the amounts made available under this sec-
4 tion in an advance payment of the entire
5 amount on October 1, or as soon as prac-
6 ticable thereafter, of each such fiscal year;
7 and

8 “(ii) the Foundation shall invest and
9 reinvest excess such amounts for the ben-
10 efit of the grant program.

11 “(B) APPLICATION OF NATIONAL FISH
12 AND WILDLIFE FOUNDATION ESTABLISHMENT
13 ACT.—Amounts received by the Foundation
14 under this subsection shall be subject to the
15 National Fish and Wildlife Foundation Estab-
16 lishment Act (16 U.S.C. 3701 et seq.), except
17 for section 10(a) of that Act (16 U.S.C.
18 3709(a)).

19 “(5) ELIGIBLE USES.—Funds made available
20 for award under this subsection may be spent to de-
21 velop, assess, and carry out activities that reduce le-
22 thal and sub-lethal interactions between ocean users
23 and migratory whales and other large cetaceans, in-
24 cluding—

1 “(A) funding research to develop, deploy,
2 or test innovative detection technologies that re-
3 duce or eliminate harmful interactions between
4 ocean users and migratory whales and other
5 large cetaceans;

6 “(B) efforts to enhance awareness of exist-
7 ing management measures for migratory whales
8 and other large cetaceans;

9 “(C) developing on-the-water approaches to
10 support the coexistence of ocean users and mi-
11 gratory whales and other large cetacean species;

12 “(D) funding the expansion of infrastruc-
13 ture and capacity to disseminate management
14 and other relevant information that reduces
15 harmful interactions between ocean users and
16 migratory whales and other large cetaceans, es-
17 pecially such interactions that can lead to lethal
18 or sub-lethal injury; and

19 “(E) other uses the Foundation, in con-
20 sultation with the Under Secretary and relevant
21 eligible entities, determines appropriate.

22 “(6) PRIORITY.—In awarding grants under this
23 subsection, the Foundation shall give priority to ap-
24 plications—

1 “(A) with a substantial likelihood of reduc-
2 ing lethal and sub-lethal interactions between
3 ocean users and migratory whales and other
4 large cetaceans;

5 “(B) that include cooperation among ocean
6 users; and

7 “(C) that demonstrate, or have the poten-
8 tial to provide, economic benefits to small busi-
9 nesses reliant upon fishing, tourism, and mari-
10 time-related activities based in the United
11 States.

12 “(7) PROHIBITED USE.—

13 “(A) IN GENERAL.—An eligible entity that
14 is awarded a grant under this subsection may
15 not use such grant to distribute resources to an
16 entity or individual that is not a United States
17 person, except as provided in subparagraph (B).

18 “(B) EXCEPTION.—An eligible entity that
19 is awarded a grant under this subsection may
20 use such grant to distribute resources to a part-
21 nership that includes an entity or individual
22 that is not a United States person if the re-
23 sources are distributed directly to a partner in
24 the partnership that is a United States per-
25 son.”.

1 (11) in subsection (k), as so redesignated, to
2 read as follows:

3 “(k) FUNDING.—

4 “(1) IN GENERAL.—There are authorized to be
5 appropriated to the Under Secretary for each of fis-
6 cal years 2026 through 2030—

7 “(A) to carry out subsection (c),
8 \$2,000,000;

9 “(B) to carry out subsection (d),
10 \$1,000,000; and

11 “(C) to carry out subsection (f),
12 \$5,000,000.

13 “(2) GRANT PROGRAM.—There are authorized
14 to be appropriated to the Under Secretary to carry
15 out subsection (e), \$10,000,000 to remain available
16 until expended.

17 “(3) ADMINISTRATIVE EXPENSES.—Each fiscal
18 year, of the amounts made available to carry out
19 subsection (e), the Foundation may use not more
20 than 5 percent or \$80,000, whichever is greater, of
21 such amounts for administrative expenses.”; and

22 (12) by adding at the end the following:

23 “(l) REPORT.—Not later than 2 years after the date
24 of the enactment of this subsection, and every 3 years
25 thereafter, the Under Secretary, in consultation with the

1 Marine Mammal Commission, shall submit to Congress
2 and make available to the public a report regarding—

3 “(1) activities carried out under subsections (c)
4 and (d);

5 “(2) knowledge gaps identified in carrying out
6 subsection (c);

7 “(3) progress made in filling knowledge gaps
8 identified in carrying out subsection (c); and

9 “(4) the results and effectiveness of projects
10 carried out with a grant awarded under the grant
11 program.

12 “(m) CONSTRUCTION WITH OTHER LAWS.—

13 “(1) IN GENERAL.—The Under Secretary shall
14 carry out this section notwithstanding any planning
15 or ongoing actions, including rulemakings, under
16 any other provision of law.

17 “(2) RULES OF CONSTRUCTION.—Nothing in
18 this section may be construed to—

19 “(A) affect the authority or duty of the
20 Under Secretary to issue timely regulations
21 under any provision of law; or

22 “(B) allow the Under Secretary to delay
23 any action, order, or rulemaking process under
24 any provision of law.

25 “(n) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means—

3 “(A) a State, regional, local, or Tribal gov-
4 ernment;

5 “(B) a non-profit organization or research
6 institution with expertise in monitoring or de-
7 tecting migratory whales or other large
8 cetaceans;

9 “(C) any individual or entity the Under
10 Secretary and the Foundation jointly determine
11 appropriate, including ocean users in the fish-
12 ing, tourism, fishing tackle manufacturing,
13 boating, shipping, marine electronics, ship pilot-
14 ing, vessel towing, and other maritime sectors;
15 and

16 “(D) a consortium of 2 or more entities
17 described in any of subparagraphs (A) through
18 (C).

19 “(2) FOUNDATION.—The term ‘Foundation’
20 means the National Fish and Wildlife Foundation.

21 “(3) GRANT PROGRAM.—The term ‘grant pro-
22 gram’ means the grant program established under
23 subsection (e)(1).

24 “(4) MARINE MAMMAL COMMISSION.—The term
25 ‘Marine Mammal Commission’ means the Marine

1 Mammal Commission established by section 201(a)
2 of the Marine Mammal Protection Act of 1972 (16
3 U.S.C. 1401(a)).

4 “(5) MIGRATORY WHALE.—The term ‘migra-
5 tory whale’ means all species within either—

6 “(A) the suborder Mysticeti; or

7 “(B) the genus Physeter.

8 “(6) PILOT PROJECT.—The term ‘pilot project’
9 means the pilot monitoring and mitigation project
10 established under subsection (f)(4)(A).

11 “(7) PROGRAM.—The term ‘Program’ means
12 the program established under subsection (a).

13 “(8) SUBPROGRAM.—The term ‘Subprogram’
14 means the subprogram established under subsection
15 (f)(1).

16 “(9) UNITED STATES PERSON.—The term
17 ‘United States person’ has the meaning given the
18 term in section 7701(a)(3) of the Internal Revenue
19 Code of 1986.

20 “(10) WATERS UNDER THE JURISDICTION OF
21 THE UNITED STATES.—The term ‘waters under the
22 jurisdiction of the United States’ has the meaning
23 given the term in section 3 of the Marine Mammal
24 Protection Act of 1972 (16 U.S.C. 1362).”.

1 (b) MARINE MAMMAL STOCK ASSESSMENT REQUIRE-
2 MENT.—Section 117 of the Marine Mammal Protection
3 Act of 1972 (16 U.S.C. 1386) is amended by adding at
4 the end the following:

5 “(f) USE OF CERTAIN DISTRIBUTION MAPS.—In pre-
6 paring, publishing, or reviewing a stock assessment under
7 this section, the Secretary shall consider each applicable
8 distribution map produced under section 11303(c) of the
9 James M. Inhofe National Defense Authorization Act for
10 Fiscal Year 2023 (16 U.S.C. 1391(c)).”.

○