

AMENDMENT TO RULES COMMITTEE PRINT

118-11

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VIII, insert the following:

1 **SEC. 8 ___. CERTIFICATION AND REPORT BY INSPECTOR**
2 **GENERAL RELATING TO RADAR IMPACTS**
3 **AND OFFSHORE WIND DEVELOPMENT AP-**
4 **PROVAL PROCESS.**

5 (a) CERTIFICATION.—Not later than 90 days after
6 the date of the enactment of this Act, the President (or
7 a designee) shall certify in writing that—

8 (1) offshore wind projects in the North Atlantic
9 and Mid-Atlantic Planning Areas will not weaken,
10 degrade, interfere with, or nullify the performance
11 and capabilities of radar relied upon by commercial
12 aviation, military aviation, space launch vehicles, or
13 other commercial space launch activities; and

14 (2) the development of offshore wind projects in
15 the North Atlantic and Mid-Atlantic Planning Areas
16 will not degrade the capabilities of the Federal Avia-
17 tion Administration to monitor United States air-
18 space, or hinder commercial, private, or military
19 aviation activities.

1 (b) AUDIT AND REPORT BY INSPECTOR GENERAL.—

2 (1) AUDIT AND REPORT.—The Inspector Gen-
3 eral of the Department of Transportation shall audit
4 and report to Congress on the effects of offshore
5 wind industrialization related to radar, impacts to
6 commercial air and military traffic, and the suffi-
7 ciency of the review and approval process for off-
8 shore wind projects in the North Atlantic and Mid-
9 Atlantic Planning Areas. Such report shall also in-
10 clude the following:

11 (A) An investigation of the sufficiency of
12 the process for approving offshore wind
13 projects, and these projects impact on radar, in-
14 cluding the consultation process between the
15 Bureau of Ocean Energy Management, the
16 Federal Aviation Administration, and the Mili-
17 tary Aviation and Installation Assurance Siting
18 Clearinghouse, and whether concerns voiced by
19 the Federal Aviation Administration, the
20 United States Armed Forces were sufficiently
21 considered in the approval process.

22 (B) A specific study on the impact of such
23 projects on shore based radar capabilities.

24 (C) A determination whether offshore wind
25 projects will weaken, compromise, or interfere

1 with, or nullify the usage of radar utilized by
2 the Federal Aviation Administration, the
3 United States Armed Forces, and the National
4 Aeronautics and Space Administration, as well
5 as commercial space launch activities.

6 (D) An audit of the approval applications
7 by the Military Aviation and Installation Assur-
8 ance Siting Clearinghouse regarding concerns
9 voiced over the impact to radar and ability to
10 identify airborne threats, freedom to navigate
11 United States airspace, and ability to train
12 within United States airspace.

13 (E) A determination whether any offshore
14 wind projects will impact, alter, or disrupt com-
15 mercial, private, or military aviation flight
16 paths.

17 (F) A determination whether any offshore
18 wind projects will impact, compromise, inhibit,
19 or nullify the usage of radar and sonar tech-
20 nologies utilized by the armed forces and any
21 agencies carrying out space launch programs.

22 (G) A determination whether any offshore
23 wind projects will impact, compromise, or in-
24 hibit the ability of the United States Coast

1 Guard to conduct maritime safety and life-
2 saving operations.

3 (H) An assessment of how offshore wind
4 energy projects impact low-level military air-
5 space off the Atlantic Coast.

6 (I) A determination whether the mitigation
7 strategies laid out in the 2016 Report on the
8 Impact of Wind Energy Developments on Mili-
9 tary Installations are sufficient, achievable and,
10 realistic.

11 (2) SURVEY REQUIRED.—

12 (A) IN GENERAL.—The Inspector General
13 of the Department of Transportation shall con-
14 duct a survey of individuals directly responsible
15 for installations and units effected by offshore
16 wind development projects, including those cur-
17 rently underway and those proposed, with re-
18 spect to—

19 (i) mission critical capabilities related
20 to radar interference, sonar interference,
21 lifesaving operations, and training mis-
22 sions; and

23 (ii) the sufficiency of local military in-
24 stallation commander input in the approval
25 process.

1 (B) REPORT.—The Inspector General of
2 the Department of Transportation shall submit
3 to Congress a report containing the results of
4 the survey required by subparagraph (A) not
5 later than 180 days after the date of the enact-
6 ment of this Act.

7 (c) CLASSIFIED ANNEX.—The reports required under
8 subsection(b)(1) and (b)(2)(B) shall be submitted in un-
9 classified form, but may include a classified annex.

