Amendment to H.R. 2670 Offered by Mr. Gaetz of Florida

At the appropriate place in title XVIII, insert the following:

1 SEC. 18_____. EXEMPTION UNDER MARINE MAMMAL PROTEC 2 TION ACT OF 1972 FOR CERTAIN ACTIVITIES 3 THAT MAY RESULT IN INCIDENTAL TAKE OF 4 RICE'S WHALE.

5 (a) EXEMPTION PROCESS REQUIRED.—The Sec-6 retary of Commerce, the Secretary of the Interior, and the 7 Secretary of Defense, as appropriate, shall begin the process under section 101(f)(1) of the Marine Mammal Protec-8 tion Act of 1972 (16 U.S.C. 1371(f)(1)) to exempt from 9 10 the requirements of that Act, as applicable, training and 11 testing activities, including those that involve the use of live or inert impact weapons or aerial gunnery, conducted 12 by the Secretary of the Air Force on the Eglin Gulf Test 13 14 and Training Range, located at Eglin Air Force Base, that may result in incidental take of the Rice's whale 15 16 (Balaenoptera ricei).

17 (b) NOTIFICATION REQUIREMENT SATISFIED.—If
18 the Secretary of Defense issues an exemption pursuant to
19 subsection (a) the notification requirement under section

- 1 101(f)(4) of the Marine Mammal Protection Act of 1972
- 2 (16 U.S.C. 1371(f)(4)) shall be deemed to be satisfied
- 3 upon issuance of the exemption.

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