

Congress of the United States
Washington, DC 20515

March 14, 2024

The Honorable Richard Spinrad, Ph.D.
Administrator
National Oceanic & Atmospheric Administration
1401 Constitution Avenue NW
Washington, DC 20230

The Honorable Shalanda Young
Director
Office of Management and Budget
17th Street, NW
Washington, DC 20503

Dear Director Young and Administrator Spinrad:

As members of the East Coast delegation, we write to express grave concern with the North Atlantic Right Whale Vessel Strike Reduction Rule that the Office of Management and Budget (OMB) is finalizing. This rule will have profound impacts on the livelihoods of our constituents.

The rule would drastically expand compliance of the mandatory 10-knot speed restrictions in existing Seasonal Management Areas to include vessels greater than or equal to 35 feet in length and create a new Seasonal Speed Zone boundary spanning from southern Florida to northern Maine. The proposal would impact 15,899 vessels throughout the Eastern Seaboard, resulting in 121,061 additional transit hours annually and costing \$49,216,122 per year.¹ These costs are borne by blue collar Americans seeking to make a living by providing food to our nation.

In NOAA's own analysis of the rule, they concede that "...it is not possible to establish a direct causal link between speed reduction efforts and the relative decline in observed right whale serious injury and mortality events following the implementation of the speed rule..."² The agency cannot quantify the economic benefit for implementing the rule, but admits there are clear costs that will be imposed upon commercial and recreational fishing vessels, container ships, dredging vessels, ferries, towing vessels and many others.

Furthermore, NOAA proposes additional cooperation from the U.S. Coast Guard and state law enforcement agencies to enforce this proposed rule, taking away law enforcement efforts away from national security interests off our coast.

¹ *Draft Regulatory Impact Review and Initial Regulatory Flexibility Analysis Amendments to the North Atlantic Right Whale Vessel Strike Reduction Rule*. (2022, July 22). Office of Protected Resources National Marine Fisheries Service (NMFS) National Oceanic and Atmospheric Administration Department of Commerce.
https://media.fisheries.noaa.gov/2022-07/NARW_Proposed_Speed_Rule_RIR-IRFA%20508_0.pdf

² *Ibid*, 5.

Additionally, per the National Marine Manufacturers Association (NMMA) “this Rule could put more than 810,000 American jobs and nearly \$230 billion in economic contributions in jeopardy.” More than 95 percent of boats sold in the U.S. are made in the U.S., and approximately 93 percent of boat manufacturers are small business owners. Many coastal economies are built on recreational boating, fishing trips, and the hospitality industry that require access to the ocean, and this rule would create ripple effects throughout these economies.

While we can appreciate your efforts to safeguard this species, these actions will financially devastate our constituents and may not lead to a significant decrease in vessel strikes. We respectfully request a meeting with both of you as soon as it can be arranged.


Sincerely,



Gregory F. Murphy, M.D.
Member of Congress



Robert J. Wittman
Member of Congress



David Rouzer
Member of Congress



Earl L. “Buddy” Carter
Member of Congress



Donald Davis
Member of Congress



Thom Tillis
U.S. Senator



Ted Budd
U. S. Senator

Cc: The Honorable Richard L. Revesz, Administrator, Office of Information and Regulatory Affairs