

Congress of the United States

Washington, DC 20515

August 6, 2007

The Honorable George W. Bush
President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

We are writing to urge the Administration to take immediate action to protect highly endangered North Atlantic right whales from the threat of vessel strikes, the leading cause of death for the species. The National Marine Fisheries Service (NMFS) has been developing regulations to address this serious issue for several years now, yet protections remain elusive. Indeed, NMFS represented in federal court in March 2007, that a Final Rule providing critical conservation measures would be released in June 2007. Now in early August, North Atlantic right whales remain unprotected. Because NMFS has stated that the loss of a single whale brings the species appreciably closer to extinction, there is no time to waste.

With only about 350 animals left in existence, the North Atlantic right whale is considered to be among the most endangered animals in the world. The species makes its home exclusively in the waters of the United States and Canada and was originally decimated by whaling at the turn of the last century. Although now protected under law by both the Endangered Species Act and the Marine Mammal Protection Act, steps taken by the Administration to address the species' recovery have fallen short of adequate protection for the species. NMFS, the agency responsible for conserving right whales, has made clear that speed restrictions on large vessels are necessary to protect the species from extinction. However, despite requests for emergency regulations to reduce vessel speeds from the U.S. Marine Mammal Commission, numerous conservation organizations, and the country's leading right whale scientists, the Administration still has not acted.

In June 2006, NMFS published a strong and scientifically based Proposed Rule that would slow large ocean going vessels to 10 knots around port entrances in the times and places right whales are expected to be present. After a lengthy public comment period and three public hearings, NMFS finished its work on a draft Final Rule in February 2007, and submitted the draft Final Rule to the Office of Management and Budget (OMB) for review. It is our understanding that the draft Final Rule is still at OMB and may be undergoing substantive revisions that are not supported by the best available science.

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The nation's right whale scientists, including those at NMFS, have made clear that immediate implementation of a 10 knot speed limit is critical to avoid losing North Atlantic right whales forever. We therefore call on the Administration to take action to finalize a rule based on scientists' expert judgment.

Thank you for devoting the Administration's time and resources to this pressing problem. We look forward to working with you to address this conservation challenge.

Sincerely,



NICK J. RAHALL, II
Chairman



MADELEINE Z. BORDALLO
Subcommittee Chairwoman



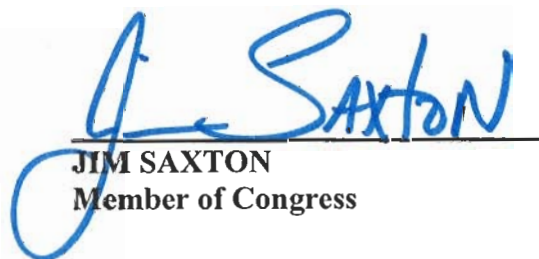
THOMAS H. ALLEN
Member of Congress



WAYNE T. GILCREST
Member of Congress



FRANK PALLONE, JR.
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JIM SAXTON
Member of Congress

CC: Honorable Jim Nussle
Susan Dudley
Honorable Carlos M. Gutierrez
Honorable James L. Connaughton
John H. Marburger, III