

United States Senate
WASHINGTON, DC 20510-2102

August 10, 2007

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

Dear President Bush:

We are writing to express our grave concern regarding the plight of the highly endangered North Atlantic right whale. In particular, we are concerned that the Administration is not acting strongly or swiftly enough to protect right whales from ship strikes, the leading cause of death for the species. The North Atlantic right whale is one of the world's most endangered marine mammals with approximately 350 whales alive today, and should accordingly be among the Administration's top conservation priorities. Despite promising gestures in 2004 and 2006 that the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) was prepared to implement speed restrictions to protect right whales from collisions with ships and other ocean going vessels, no such protections are in force.

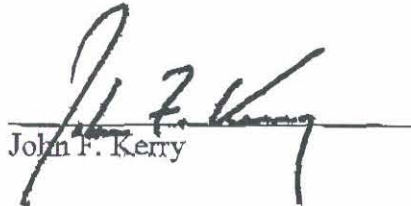
In 2004, NOAA Fisheries issued an Advanced Notice of Proposed Rulemaking that included proposed provisions to slow vessels to 12 knots while approaching ports where right whales are expected to be present. After two years of additional scientific research and public outreach, NOAA Fisheries moved forward in 2006 with a Proposed Rule to slow vessels to 10 knots in such areas. According to top scientists within NOAA Fisheries, a lower speed limit will significantly reduce the risk of ship strikes on right whales. Yet, NOAA Fisheries has not finalized this or any other rule to protect right whales from the threat of ship strikes.

We understand that the draft final rule completed by NOAA Fisheries in February 2007, is currently being held at the Office of Management and Budget (OMB). We fear that this may signify that the Administration may be reconsidering its commitment to right whale protection. NOAA Fisheries has stated repeatedly that the loss of even one reproductively mature female right whale could doom the species to extinction. Accordingly, there is no time to waste. The U.S. Marine Mammal Commission and the country's leading right whale scientists highlighted this urgency back in 2005 when they separately pushed for emergency speed restrictions. The agency denied these requests, along with similar demands from conservation organizations, on the justification that the agency was moving forward with its own rulemaking process. Now more than two years later, that process has provided no protection.

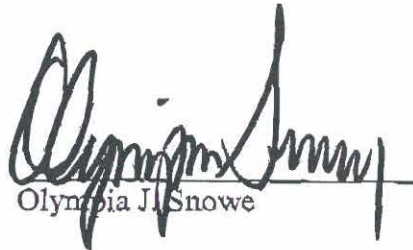
We call on the Administration to take immediate action to finalize a ship strike reduction rule that will slow ships to protect right whales based on the best available scientific evidence. We also ask that the Administration brief our staff on the expected timeline for implementation, as well as the Administration's plans for the enforcement and monitoring of new provisions.

We appreciate your attention to this pressing matter and look forward to working with you to help save the North Atlantic right whale.

Sincerely,



John F. Kerry



Olympia J. Snowe



Edward M. Kennedy

Cc: Carlos M. Gutierrez, Secretary, U.S. Department of Commerce
James L. Connaughton, Chairman, Council on Environmental Quality
John H. Marburger, III, Director, Office of Science and Technology Policy
Director, Office of Management and Budget
Susan Dudley, Administrator, Office of Information and Regulatory Affairs, OMB