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June 18, 2019

The Honorable Jared Golden The Honorable Chellie Pingree

1223 Longworth House Office Building 2162 Rayburn House Office Building

Washington, D.C. 20515 Washington, D.C. 20515

**RE: Please Withdraw Amendment #70 to FY 20 House Commerce, Science, and Justice Appropriations Bill**

Dear Representatives Golden and Pingree,

On behalf of our millions of members and supporters nationwide, we write to express our opposition to Amendment #70 to H.R. 3055, the FY 20 Commerce, Justice, and Science Appropriations Bill, which would block funding for North Atlantic right whale conservation. We urge you to withdraw this amendment.

The critically endangered North Atlantic right whale is one of America’s most iconic marine mammals and connects all Americans that inhabit the east coast region. However, there are less than 420 North Atlantic right whales left on earth and if action is not taken soon to conserve the species it will be effectively extinct within just a few decades.

In April, the Atlantic Large Whale Take Reduction Team (TRT), a body convened by the National Marine Fisheries Services (NMFS) pursuant to the Marine Mammal Protection Act (MMPA), released consensus recommendations to mitigate the risks to the North Atlantic right whale posed by fishing gear. The MMPA mandates that NMFS has a statutory duty to reduce marine mammal mortality in commercial fisheries and the purpose of the TRT is to the advise the agency toward that end. The team is composed of fisherman, scientists, conservationists, and federal and state fishery managers, as well as several representatives from the Maine fishing industry. We are concerned that your amendment will block the implementation of the consensus recommendations, which enjoyed almost full support of the TRT and the entire Maine delegation.

Indeed, NMFS is currently working on a proposed rule to implement the solutions recommended by the TRT to reverse the North Atlantic right whale’s trajectory towards extinction. If this amendment is passed, NMFS will be unable to move forward with the proposed rulemaking and unable to implement the recommendations that will save the lives of whales and, likely, this entire species. Scientists at NMFS have a duty to reduce North Atlantic right whale deaths and this amendment will prevent the agency from fulfilling that duty and congressionally override the expertise of scientists who have sounded the alarm for the whale.

Not only would this amendment contribute to the decline, and likely lead to the extinction of, the North Atlantic right whale, it would also undermine science-based implementation of the MMPA and Endangered Species Act more broadly. In recent years, our organizations have steadfastly opposed scores of attempts by Members of Congress to politicize science-based decisions made by agencies under these laws. Decisions about which species need protection should be left to the agencies that are tasked with implementing those laws, and three-fourths of registered voters agree.[[1]](#footnote-1) We therefore respectfully request you withdraw this amendment.

Thank you for your consideration.

[Groups]

1. Defenders of Wildlife, New National Poll Finds 90 Percent of American Voters Support the Endangered Species Act, available at <https://defenders.org/press-release/new-national-poll-finds-90-percent-american-voters-support-endangered-species-act>. [↑](#footnote-ref-1)