

ED CASE

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Congress of the United States
House of Representatives
Washington, DC 20515-1101

COMMITTEE ON APPROPRIATIONS
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MILITARY CONSTRUCTION, VETERANS AFFAIRS AND
RELATED AGENCIES
COMMERCE, JUSTICE, SCIENCE AND
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COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEES:
NATIONAL PARKS, FORESTS AND PUBLIC LANDS
WATER, OCEANS AND WILDLIFE
INDIGENOUS PEOPLES OF THE UNITED STATES

May 31, 2022

The President
The White House
Washington, D.C.

Dear Mr. President,

I write to express my very strong support for expanding and renaming the Pacific Remote Islands Marine National Monument (PRIMNM) as proposed by the Pacific Remote Islands Coalition and others.

Our world's oceans are at mortal risk, a breaking point precipitated by unsustainable overfishing and other resource extraction, debris and land-based pollution, exacerbated and compounded by the devastating and pervasive marine effects of climate change. The solutions to this human-caused crisis are comprehensive and integrated, but include at least the reservation of large portions of our world's oceans and associated environments to ecosystems in their natural form and operation, free of all but a bare minimum of human alteration, able to generate sustainability beyond their borders.

This goal has been increasingly pursued by the countries and peoples of the world, especially those most dependent on healthy and sustainable oceans. They look to the United States to join them and lead by example in actions to protect our oceans which are in scope and extent at least equal to our own presence as a maritime and marine country and our own ability to commit the resources necessary to lead. And our own fellow citizens increasingly understand and support these actions.

The maximum possible expansion of PRIMNM would represent a major contribution by our country to the protection and preservation of our world's oceans, a major example of our own commitment to lead in this critical area for our planet. It would affirm your commitment to tackling the climate crisis at home and abroad. It would further have the specific result of advancing your goal to protect at least 30 percent of America's land and waters by 2030 in an equitable way as outlined in your *America the Beautiful* initiative.

PRIMNM was established on January 6, 2009 by President George W. Bush under the Antiquities Act, and expanded to its current size on September 25, 2014 by President Barack Obama. This further proposed expansion under the Antiquities Act would be the culmination of a bipartisan effort to build off these efforts to protect and preserve the marine environment around Wake, Baker, Howland and Jarvis Islands; Johnston and Palmyra Atolls; and Kingman Reef.

This proposed expansion would fully extend the Monument's boundaries from 50 to 200 nautical miles around these remote and largely uninhabited U.S. possessions to the full extent of the 200-nautical mile Exclusive Economic Zone, creating one of the largest highly protected marine protected area in the world. The proposed expansion area is home to thriving wildlife populations including coral, fish, sharks, turtles, rays, whales, dolphins, birds and other invertebrates. Many of these species are endangered or threatened and need to be protected. The wildlife in this area are intricately connected to the nearshore and island ecosystems already within PRIMNM, and an expansion would help ensure that the full ecosystem remains healthy and resilient to the effects of climate change.

PRIMNM is a safe haven for Central Tropical Pacific biodiversity and represents one of the last frontiers of scientific discovery in the world. The deep seabed in the proposed expansion area has 98 seamounts, which are ecological hotspots for biodiversity and remain largely unexplored. With new species being cataloged on every dive, the ocean floor in the expansion area is rich with opportunities for discovery of unique species. We cannot lose this opportunity, if not obligation, to achieve the fullest possible protection.

Additionally, I applaud your administration's commitment to create a working group or commission to evaluate naming practices for marine national monuments and national marine sanctuaries, with a particular emphasis on PRIMNM. Names are an incredibly important part of our identity, and the Monument deserves a name that reflects its significance, history and character. I especially encourage you to engage with Native Hawaiians and other indigenous communities in the Pacific in the renaming process so that the importance of this place can be articulated and deeper connections to this place can be forged. Renaming the monument will help people to connect with it through an understanding of its cultural and historic importance.

Our ocean must be protected for our keiki (children) and for future generations, which why I urge you to use your authority under the Antiquities Act to expand and rename PRIMNM as you move to make your vision for *America the Beautiful* a reality. Expanding PRIMNM would not only protect the marine environment from commercial exploitation but also be a meaningful step towards climate resilience and help preserve one of the last wild and healthy marine ecosystems in the world.

Please be assured that I stand ready in Congress, through my memberships on the Appropriations and Natural Resources Committees, the Pacific Islands Caucus and other means, to provide the fullest possible support of full PRIMNM expansion. I deeply appreciate your consideration of this proposal and my request.

With aloha,

A handwritten signature in black ink that reads "Ed Case". The signature is written in a cursive, slightly slanted style.

Congressman Ed Case
Hawai'i -First District

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WATER, OCEANS AND WILDLIFE
INDIGENOUS PEOPLES OF THE UNITED STATES

October 31, 2022

The President
The White House
Washington, D.C.

Dear Mr. President,

I write in continued strong support of your expanding and renaming the Pacific Remote Islands Marine National Monument (PRIMNM) as proposed by the Pacific Remote Islands Coalition and other organizations and communities.

As I noted in my initial June 1, 2022 letter to you, expanding the PRIMNM will protect at least some of our endangered marine environment from unsustainable exploitation, act as a meaningful step towards climate resilience, and help preserve one of the last wild and healthy marine ecosystems in the world. The expansion is also a tremendous opportunity to fully meet your marine conservation goals outlined in *America the Beautiful*, and it will align with commitments our nation made to the world at the United Nations Ocean Conference and the Our Ocean Conference earlier this year.

Over the last few months, I've personally reached out to and have been contacted by stakeholders throughout the Pacific and beyond to address the merits of the proposal. While the responses have been overwhelmingly positive, there are pockets of expressed concern falling into three categories: potential impacts on communities reliant on fishing, the inclusion of concerns from indigenous communities; and perceived impacts on further extractive industry. I wish to address each of these concerns and outline why none is of serious merit nor should serve as an obstacle to expansion of the PRIMNM as proposed.

Impact on Fishing Communities

In evaluating the actual impact of expansion on communities reliant on a fishing industry, I urge your administration to look past simple assertion to actual existing economic analysis and fisheries data.

Attention in this area has focused on American Samoa and its cannery, which is the only community even arguably impacted by expansion. While individuals associated with the cannery have outwardly pointed to the fishing regulations related to PRIMNM as a primary factor in a reduced supply from U.S. flagged purse seine vessels, fisheries data shows that despite monument designation and later expansion under the Bush and Obama administrations, U.S. based fishing has been largely unaffected. As shown in the chart below, fishing catch and effort

taking place in the unprotected, proposed expansion area of PRIMNM are very low, both historically and over the past 5 years.

Purse Seine Catch By US-Flagged Purse Seiners by Metric Ton and Value In Western and Central Pacific

Year	Pre-Monument Designation						Average
	2003	2004	2005	2006	2007	2008	
Total Catch Inside US EEZ	4,220	4,913	3,553	6,410	1,560	683	3,556
Total Catch	87,456	67,419	86,127	68,410	88,736	209,323	101,245
Percent Catch in US EEZ	4.82%	7.29%	4.12%	9.37%	1.76%	0.33%	5%
Value Inside US EEZ	\$3,378,015	\$4,693,459	\$3,568,075	\$6,544,493	\$2,168,006	\$1,186,205	\$3,589,709
Total Value	\$72,186,228	\$63,400,140	\$83,218,019	\$69,482,766	\$123,155,468	\$363,974,151	\$129,236,129
Percent in US EEZ	4.68%	7.40%	4.29%	9.42%	1.76%	0.33%	5%
PRIMN Original Boundaries (Bush-Era)							
Year	2009	2010	2011	2012	2013	2014	Average
Total Catch Inside US EEZ	2,834	589	764	5,765	4,731	7,811	3,749
Total Catch	281,589	245,495	203,225	259,760	254,347	312,952	259,562
Percent Catch in US EEZ	1.01%	0.24%	0.38%	2.22%	1.86%	2.50%	1%
Value Inside US EEZ	\$3,312,296	\$746,104	\$1,309,788	\$12,652,825	\$9,977,057	\$11,960,372	\$6,659,740
Total Value	\$332,527,832	\$316,392,390	\$356,043,221	\$562,833,288	\$534,289,835	\$468,211,729	\$428,383,049
Percent in US EEZ	1.00%	0.24%	0.37%	2.25%	1.87%	2.55%	1%
Obama-Era Expansion							
Year	2015	2016	2017	2018	2019	2020	Average
Total Catch Inside US EEZ	983	4,033	5,189	2,879	1,485	6,241	3,798
Total Catch	238,164	201,152	165,135	197,451	165,703	137,206	174,706
Percent Catch in US EEZ	0.41%	2.00%	3.14%	1.46%	0.90%	4.55%	2.93%
Value Inside US EEZ	\$1,197,730	\$5,814,536	\$9,779,918	\$5,067,752	\$2,130,266	\$8,686,257	\$5,446,076
Total Value	\$294,044,719	\$292,014,023	\$303,393,796	\$333,924,965	\$243,777,184	\$191,333,418	\$276,414,684
Percent in US EEZ	0.41%	1.99%	3.22%	1.52%	0.87%	4.54%	2%

Source: Value of WCPFC CA Tuna Fisheries, Forum Fisheries Agency. Available at: <https://www.ffa.int/node/425>

The waters around the Pacific Remote Islands (PRIs) are most commonly fished by the U.S. tuna purse seine fleet, but this fleet's presence is minimal – no more than 9 vessels have visited the proposed expansion area each year for the past 6 years. The fleet is primarily fishing areas in the high seas and in fishing grounds closer to their home port. U.S. tuna purse seine vessels also fish in the Eastern Pacific Ocean and deliver to Latin America – this was preferred so much in 2021 that these vessels went several months without delivering to the cannery in American Samoa.

The fishing effort that does take place in the area around the PRIs represents a small fraction of the fleet's total effort. In 2021, fishing within the unprotected area represented less than 4% of the U.S. tuna purse seine fleet's total effort in the Western and Central Pacific Ocean. From 2016 to 2019, fishing in the unprotected area represented less than 1% of the U.S. tuna purse seine fleet's total effort. Fishing effort in the unprotected area by the Hawai'i-based longline fleet has been negligible to nonexistent (less than 0.05% of the fleet's total effort) over the past 6 years.

The total catch coming from this area is also very low. Tropical tuna catch from the unprotected area represented 4.5% of the U.S. tuna purse seine fleet's total catch in 2020, and less than 3% of total catch from 2017 to 2019. The waters surrounding the PRIs have historically been only lightly fished by Hawai'i-based long liners. Before 2014, the catch from these waters accounted for less than 5% of long liners' total annual harvest.

Further, the Government Accountability Office found that the economic viability of the of tuna canning industry in American Samoa is affected by a number of compounding factors including: increases in minimum wage, legal fines imposed on the owner of the remaining cannery as a result of its role in a price fixing conspiracy and violations of U.S. federal environmental laws,

increasing international competition from lower wage nations, in addition to decreased access to tuna supply.

On the other hand, studies have shown that the fishing industry has benefited from marine protected areas in the Pacific. One study, focused on the Papahānaumokuākea Marine National Monument, assessed catch per unit effort—which measures the number of fish caught as a factor of the effort and cost expended to catch them—for the Hawai‘i-based longline fishery found increased profitability following the 2014 expansion. A follow-up study using revenue per unit effort found that profitability especially increased for the two most commercially important species for the fishery, yellowfin and bigeye tuna. Another recent study published by researchers out of the University of Hawai‘i found that the Hawai‘i longline fleet has benefited from increased catch rates for bigeye and yellowfin tuna outside the monument boundaries following its expansion.

Addressing Indigenous Communities

Some stakeholders have expressed hesitancy with what has been to this point a primarily Native Hawaiian-driven effort to protect the cultural heritage of the PRIMNM expansion zone. To address the concerns voiced by stakeholders throughout the Pacific, I especially encourage you to continue to engage with all indigenous communities tied to the PRIs throughout the renaming process so that the importance of this unique ecosystem place can be articulated and deeper connections to this place can be forged.

While many of the most active voices in protecting the cultural seascape of the PRIs are Native Hawaiian, protection of these islands must be inclusive of Micronesian and Polynesian indigenous communities, including American Samoans, Chamorros and Native Hawaiians. The expanded monument’s proposed boundaries contain key areas in which the diverse indigenous peoples of the Pacific can connect with their shared culture and history. We must consider its cherished cultural history along with its ecological importance and scientific value.

The waters of the PRIs are a cultural seascape for traditional open-ocean navigation practices, have been the inspiration of long cherished oral histories, played a unique role in the years preceding World War II and are at the center of indigenous values which cherish the sea, the skies and all of creation as one interconnected web. Prior to Western influence, Pacific Island voyagers were documented traversing the ocean surrounding the PRI for cultural practice and exchanges. Polynesian and Micronesian oral history describes voyaging to PRI for cultural duties and traditions, such as the Marshallese voyaging to Wake Atoll for seabird bones utilized in tattooing. Polynesian and Micronesian voyaging practices, nearly lost following colonization of the islands, are still being reclaimed in the waters of the Pacific today. Efforts to reinvigorate voyaging traditions throughout the Pacific, including in currently unprotected areas of the PRIs by cultural organizations such as the Polynesian Voyaging Society, are critical to the long-term preservation the region’s culture and history.

Your administration has already shown its commitment to putting indigenous communities in the Pacific at the fore by announcing a working group or commission to evaluate naming practices for marine national monuments and national marine sanctuaries, with a particular emphasis on PRIMNM. Names are an incredibly important part of a place’s identity, and the proposed monument deserves a name that reflects its significance, history and character. Renaming the

monument will help people to connect with it through an understanding of its cultural and historic importance.

Future Extractive Industries

Finally, some have voiced concerns with closing off the expansion zone to future activities by the extractive industry, in particular deep seabed mining. While I fully appreciate the need for our nation to further secure our critical minerals supply chain, scientists agree that deep seabed mining poses a serious risk to our overall marine health, and further that in any event there is a low level of potential for such extraction in the expansion areas.

We still do not understand the range of impacts mining operations would have on our ocean. The scientific community is only now conducting the rigorous science needed to fully understand how deep-sea ecosystems are connected to the rest of the marine environment. As noted by the National Oceanic and Atmospheric Administration, “[the] deep seafloor of the Pacific Ocean is one of the most poorly explored regions on Earth with very little known about the benthic animals that live beyond 1,000 meters...It is clear that crucial baseline information is needed in order to gain a better understanding of the communities that are at risk and put measures in place to mitigate the impacts of mining and help preserve these unique communities.”

Mining will likely result in the direct loss of biodiversity in the largely unexplored deep ocean ecosystem, could interrupt pelagic fisheries and effect ability for our deep ocean to act as an effective carbon store. Scientists have noted that the deep seabed is home to dense collections of newly discovered, fragile life which would be easily disturbed and effected by mining operations. Furthermore, current proposed mining techniques will result in massive sediment plumes which could have wide reaching effects on both benthic and pelagic ocean environments. For these reasons, hundreds of marine scientists, conservationists and indigenous community members have already called for a moratorium on seabed mining in both the U.S. exclusive economic zone and the high seas.

Further, existing mineral surveys have shown the highest extraction value for such mining appears to lie in and around various seamounts, which in the Pacific are clustered not in the expansion areas but in a mostly high seas zone further east and west of the PRIs. Thus, the expansion areas do not fit into any must-mine scenario.

The merits of the PRIMNM stand regardless of the overarching debate of how our nation addresses deep seabed mining. As a nation, we have a duty to ensure the long-term survival of the PRIs’ scientific, ecological and cultural value. The mere presence of valuable minerals is no reason to forgo protecting one of our last wild and healthy marine ecosystems. As such, I strongly urge you to reject the short-sighted proposition that your administration should not expand the PRIMN for the promise of possible mining operations in the future.

Thank you again for your continued efforts to conserve and restore the lands, waters and wildlife that support and sustain our nation. I stand ready in Congress to provide the fullest possible support of full PRIMNM expansion as you move to make your vision for *America the Beautiful* a reality.

With aloha,

Ed Case

Congressman Ed Case
Hawai'i -First District

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WATER, OCEANS AND WILDLIFE

INDIAN AND INSULAR AFFAIRS

OVERSIGHT AND INVESTIGATIONS

March 10, 2023

The President
The White House
Washington, DC

Dear Mr. President:

In follow up to my letters of May 31 and October 31, 2022 (copies attached), I write in further support of your administration's continued commitment to protecting the precious Pacific Remote Islands Marine National Monument (PRIMNM) and to outline a path for wider and more sustainable support for your efforts.

As outlined in my earlier letters, I join many others in Hawai'i and beyond in continuing my strong support for expanding and renaming the PRIMNM as proposed by the Pacific Remote Island Coalition (Coalition) and others. I have since worked closely with the Coalition and community to advance strong and enduring protections for this pristine ocean ecosystem, which is not only critical to the broader Pacific marine ecosystem but has longstanding cultural and historical ties to the indigenous peoples of the Pacific.

I further continue to support use of the Antiquities Act of 1906 to expand monument status to the marine environment surrounding Baker and Howland Islands as well as Palmyra Atoll and Kingman Reef to the full extent of the U.S. exclusive economic zone (EEZ). However, I understand that your administration is considering alternative pathways to such protection, and I support those pathways if and to the extent that they would extend equal or greater protections to the full EEZ area, both existing PRIMNM and currently undesignated.

In particular, the Coalition further detailed its priorities in its February 27, 2023 letter to you (copy attached) and submitted a nomination request to the National Oceanic and Atmospheric Administration to initiate a sanctuary designation under the National Marine Sanctuaries Act for the entire EEZ area. If your administration pursues this designation, I urge that it incorporate the following elements, many of which have been very successful in governance of Papahānaumokuākea Marine National Monument (and are similarly being pursued in its current supplemental sanctuary designation process):

- Any potential marine sanctuary study area should include the entire area of the existing monument plus the expansion areas around Baker and Howland Islands as well as Palmyra Atoll and Kingman Reef.
- Any directive should include a strong purpose statement with clear goals and objectives consistent with the comprehensive conservation provisions of the current PRIMNM to ensure any subsequent monument expansion or national marine sanctuary designation

supplement, complement and enhance the current high levels of protection of the monument across the entire EEZ.

- The process should result in a sustainable management regime that includes co-management by indigenous peoples.
- An advisory council should be formed to provide guidance.
- The renaming process and final decision on names should be pursued in a culturally appropriate framework.

In addition, I continue to be deeply concerned with recent international developments surrounding possible future mining efforts in our marine ecosystems. As stated in my October 31, 2022 letter, we still do not understand the range of impacts of mining operations on our oceans. The scientific community is only now conducting the rigorous science needed to fully understand how deep-sea ecosystems are connected to the rest of the marine environment. While I fully appreciate the need for our nation to further secure our critical minerals supply chain, scientists agree that deep seabed mining poses a serious risk to our overall marine health, especially in a sensitive area like PRIMNM that has a low level of extraction potential in any event. As such, I urge any Presidential directive regarding a sanctuary designation process be paired with additional executive action to protect the entire seabed of the area from future mineral extraction.

As a nation, we have a duty to ensure the long-term survival of the Pacific Remote Islands' scientific, ecological and cultural value. I thank you again for your careful consideration of my requests to provide exactly that and continue my commitment to work fully with you and your administration to implement the maximum sustainable protections for this special place as we realize your vision for *America the Beautiful* in air, land and sea.

With aloha,



Congressman Ed Case
Hawai'i-First District

Enclosures (3)