

United States Senate

WASHINGTON, DC 20510

June 10, 2024

Richard W. Spinrad, PhD
Under Secretary of Commerce for Oceans and Atmosphere and Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW
Room 51030
Washington, D.C. 20230

Dear Dr. Spinrad:

As you designate national marine sanctuaries around the country, we write to emphasize the importance of accommodating undersea cables. Undersea cables transmit some 99 percent of all transoceanic communications¹—they are essential to communication, the economy, and national security. Current and future undersea cables must be allowed to exist within the boundaries of the sanctuaries without unnecessary delay or permitting or regulatory review.

We recognize NOAA's mission to preserve and protect our marine ecosystems. However, NOAA's regulations governing national marine sanctuaries fail to account for the importance of undersea cables. Undersea cables cross our oceans, connecting continents and facilitating commerce and national security operations. For example, undersea cables directly connect the United States to Europe, Japan, Australia, New Zealand, and Taiwan. These cables are vital components of our global telecommunications and data infrastructure, serving as the backbone of the internet and enabling rapid transmission of information. These cables are not merely commercial assets but are also critical infrastructure underpinning national security. A disruption of these cables can lead to significant operational and economic repercussions for the United States and our allies, meaning strategic placement and redundancy of undersea cables is paramount to resiliency in the event of a natural disaster or attack.

Undersea cables are environmentally benign. Nevertheless, companies that operate and maintain them must already comply with local, state, and federal permitting processes and environmental reviews before laying cables or performing any maintenance on them. The planning, laying, and maintenance of undersea cables is a complex task that requires years of planning and navigating extensive state and federal regulatory processes. Additional, redundant regulatory requirements from NOAA that result from the designation of national marine sanctuaries would force unnecessary and harmful delays in laying, maintaining, and repairing undersea cables.

¹ Congressional Research Service, *Undersea Telecommunication Cables: Technology Overview and Issues for Congress*, September 19, 2022, <https://crsreports.congress.gov/product/pdf/R/R47237>.

We are confident that allowing undersea cables to maintain their presence under the extensive regulatory regime that already exists at the state and federal levels is sufficient. Therefore, we urge you to consider the impact to undersea cables when finalizing national marine sanctuary regulations, recognize that the existing robust regulatory structure that already oversees undersea cables is adequate, and exempt laying, maintenance, and repair operations from further regulation. By allowing these cables to be laid and maintained within the sanctuaries without additional regulatory requirements, we can ensure the continued reliability and security of our telecommunications networks. It is imperative that we encourage—not deter—investment in this critical infrastructure.

Thank you for your attention to this matter. We look forward to the successful establishment of the national marine sanctuaries in a way that balances environmental and technological advancements and supports continued growth and prosperity.

Sincerely,



Marsha Blackburn
United States Senator



Ted Cruz
United States Senator

CC:
John Armor
Director
Office of National Marine Sanctuaries