



SOCIETY FOR AMERICAN ARCHAEOLOGY



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HISTORICAL
ARCHAEOLOGY



*Advisory Council on
Underwater Archaeology*

February 28, 2025

The Honorable Bruce Westerman
Chairman
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Jared Huffman
Ranking Member
House Committee on Natural Resources
1332 Longworth House Office Building
Washington, DC 20515

Re: Senate Joint Resolution 11: "A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Ocean Energy Management relating to "Protection of Marine Archaeological Resources"

Dear Chairman Westerman and Ranking Member Huffman:

On behalf of the undersigned organizations that represent professionals and companies in the archaeology and cultural resource sectors, we write to express our opposition to S.J. 11, for congressional disapproval of the rule submitted by the Bureau of Ocean Energy Management (BOEM) relating to "Protection of Marine Archaeological Resources," which passed the Senate on February 25.

S.J. 11 would overturn a 2024 rule issued by BOEM that requires lessees and operators to submit an archaeological survey with any oil and gas exploration or development plan they submit to BOEM for approval of proposed activities on the Outer Continental Shelf (OCS).

The resolution's supporters claim that the need for these surveys is "handcuffing Louisiana and America's energy production." They are mistaken. These surveys not only increase safety and certainty for offshore energy operations, they help accelerate—not hinder—project delivery while creating well-paying jobs.

Marine archaeological surveys for oil and gas projects have been required and conducted since 1982 with little evidence to show that they delay projects. In fact, the surveys required by BOEM's rule are frequently conducted concurrently with other reviews and surveys, and therefore do not delay project timelines.

BOEM's rule eliminates the use of outdated and unreliable predictive models, removing doubt for development planning and increasing the safety of offshore workers. Before this rule, oil and gas developers often encountered unexpected and significant discoveries during or after construction. One such discovery was made by ExxonMobil in 2001, when a post-construction inspection of a newly installed pipeline observed that the pipeline had been laid over and through the middle of a historic 19th century shipwreck.

These surveys also protect workers on oil and gas projects from unexploded ordinance (UXO). Marine archaeologists routinely report on UXO in and around multiple Explosives Dumping Areas. Used extensively following WWII and into the mid-1970s, these areas include depth charges, torpedoes, munitions, mustard gas, and other chemical weapons. These same Explosives Dumping Areas were also used for the disposal of toxic nuclear waste through both containment and controlled dispersal methods. The technology used for positioning disposal efforts from the 1940s to 1970s was much less accurate than today's. Marine archaeological surveys have identified possible UXO on the seafloor well outside the boundaries of plotted dumping areas.

Marine archaeological surveys are vital to ensuring that the installation of energy infrastructure in coastal waters avoids dangerous hazards that could not only delay projects, but risk life and safety. BOEM's final rule resolves regulatory uncertainty over where and in what manner a marine archaeological survey should be conducted, replacing outdated predictive modeling. S.J. 11 will bring that uncertainty back.

In addition, disapproval of the rule will negatively impact jobs and economies across the Gulf Coast in a wide range of industries. Surveying companies employ technicians, boat captains, protected species observers, GIS staff, professional land surveyors, project managers, marketing, administrative support, accounting and IT personnel.

The impacts of this resolution go far beyond the nation's coasts. The supply chain for the offshore survey industry is embedded across the Gulf Coast and beyond, including geophysical equipment vendors, vessel owners and operators, equipment vendors and manufacturers, commercial divers, specialized software developers, and marine geologists and geophysicists. This activity also drives economic growth for fuel docks, grocery stores, offshore safety training providers, helicopter services, crew boats, and a host of other businesses and services.

Archaeological surveys are not a burden to industry but provide safety and certainty that ensure safe and responsible offshore development. Contrary to proponents' assertions, S.J. Res. 11 would not ease regulatory concerns but in fact create regulatory uncertainty, which is a threat to business activity. It would also hurt American workers and local economies by "fixing" what was never broken.

We urge the House to reject S.J. 11.

Sincerely,

Society for American Archaeology

American Cultural Resources Association

Society for Historical Archaeology

Advisory Council on Underwater Archaeology