

September 28, 2023

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

The Honorable John Kerry
Special Presidential Envoy for Climate
United States Department of State
2201 C Street, NW
Washington, D.C. 20520

Re: Urgent Domestic Action to Accelerate Zero-Emission Shipping at Home and Abroad

Dear President Biden and Secretary Kerry:

We thank you for the important steps your Administration has already taken to accelerate shipping decarbonization domestically. The Administration has provided historic levels of funding through the Infrastructure Investment and Jobs Act and the Inflation Reduction Act to support emission reductions at maritime ports, alternative fuels research and development, and environmental justice in port-adjacent communities. We look forward to working with you to protect and build on these investments.

The Administration has also provided strong and welcome policy frameworks for a complete transition to zero-emission shipping through the Ocean Climate Action Plan (OCAP) and the Blueprint for Transportation Decarbonization, including supporting the use of ship technologies with environmental co-benefits, such as underwater noise reduction. In addition to advancing climate solutions and environmental justice, the plans would generate good-paying union jobs and provide for maritime workforce training and education. While many of the commitments made in these plans will be realized through legislation, there are critical actions that could be taken immediately through executive action.

Internationally, at the 80th session of the International Maritime Organization's (IMO) Marine Environment Protection Committee (MEPC 80) in July 2023, member states adopted the 2023 IMO Strategy on Reduction of Greenhouse Gas (GHG) Emissions from Ships. The new strategy calls for international shipping to reach net-zero GHG emissions by or around 2050, doubling the level of ambition over the initial strategy. Although there were many factors contributing to the more ambitious strategy, there is no doubt that the strong U.S. leadership in the deliberations under the Biden Administration was a major driver. Though emission targets in the 2023 Strategy are not aligned with the Paris Agreement goal of limiting warming to no more than 1.5° Celsius above pre-industrial levels, U.S. efforts, especially those of the Special Presidential Envoy for Climate, helped to ensure that it includes 2030 and 2040 targets that keep 1.5° within reach.

In the wake of MEPC 80 and en route to the 2023 United Nations Climate Change Conference (COP 28), we urge your Administration to issue an Executive Order with specific time-bound actions that will unlock opportunities and innovation for decarbonizing the maritime sector and future-proof this critical component of our supply chains, while creating and maintaining high-quality jobs and advancing environmental justice.

Specifically, we ask you to consider including the following commitments in such an Executive Order:

- **Use existing Clean Air Act authority to establish a goal-based fuel standard for ships calling on U.S. ports.** The U.S. EPA adopted more stringent exhaust emission standards for large marine diesel engines in 2009, including implementation of international standards for marine engines and their fuels contained in the IMO's International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI. However, these standards do not directly address GHG emissions. To fill this gap, the U.S. should use its authority under Section 213(a)(4) of the Clean Air Act and its port state control authority under international law to establish a goal-based fuel standard for passenger and cargo ships calling on U.S. ports that would require lifecycle carbon dioxide-equivalent emission reductions of 20% by 2027, 45% by 2030, 80% by 2035, and 100% by 2040, consistent with a 1.5° Celsius decarbonization pathway. The EPA should: 1) review whether

GHG emissions from ships significantly contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, and 2) promulgate regulations as described above upon making an endangerment finding.

- **Use existing authorities to eliminate in-port ship emissions by 2030.** For decades, fossil-fueled ships have brought significant levels of air pollution into largely working-class communities and communities of color near U.S. ports. These emissions do more than just contribute to runaway climate change — they also choke the air in port-side communities with pollution that causes an estimated 250,000 premature deaths and six million childhood asthma cases globally each year. The U.S. should set a standard that would require all passenger and cargo ships at-berth or at-anchor in U.S. ports emit zero GHG emissions and zero criteria pollutant emissions by January 1, 2030.
- **Immediately establish a monitoring, reporting, and verification mechanism to collect fuel consumption and emissions data from all ships that traverse U.S. waters and use U.S. ports, building a baseline for emissions management.** The U.S. does not have an accurate accounting system to count emissions from ships calling on our ports. We need an improved, transparent reporting system that requires ships of all flags to report these emissions to U.S. authorities to serve as a basis for accurate emissions reductions. The U.S. system should be modeled off of the European Union’s Monitoring, Reporting, and Verification system for ships (MRV).
- **Direct resources toward the electrification and quieting of the U.S. federal ferry and harbor craft fleet.** Leverage the market-making power of federal procurement to electrify and quiet the federal ferry and harbor craft fleet and accelerate the development and production of clean battery and fuel-cell technologies—providing significant incentives for early movers while progressing price parity with current “dirty” technologies and fuels—and supporting required landside infrastructure.
- **Support U.S. shipbuilders and maritime stakeholders to build low- and zero-emission and quiet marine vessels.** Establish a Zero-Emission Vessel Innovation Fund (or similar mechanism) and leverage existing federal loan programs to provide at least \$500 million in financing for the research, development, demonstration, and deployment of new vessels, or retrofit of existing vessels, equipped with propulsion systems capable of running on zero or near-zero emission alternative fuels, energy sources, and technologies, and that operate quietly.
- **Support the development, demonstration, and value chains of zero-emission alternative fuels and technologies for the maritime sector.** Establish at least two domestic green shipping corridors (one inland waterway corridor and one coastal corridor) between at least two U.S. ports that support full decarbonization (i.e., zero lifecycle GHGs) of the corridors by 2030.
- **Phase out and ban the use of sulfur scrubbers on ships in U.S. waters.** Require ships to use low-sulfur fuels or zero-emission technologies to comply with fuel-sulfur standards that apply in U.S. waters.

A shipping decarbonization Executive Order that includes these actions would also advance your Administration’s commitment to a just and equitable transition for communities and maritime-sector workers. Efforts to reduce emissions from the maritime sector aligns with the Justice40 initiative’s aim to support communities that are underserved and overburdened by pollution, as the health and economic consequences of shipping pollution overwhelmingly affects port-adjacent communities already suffering from poverty, racial and other forms of discrimination, marginalization, and economic insecurity. Zero-emission shipping policies and investments are also powerful job generators. Whether in support of zero-emission infrastructure at ports or advancing innovation in the maritime sector, the actions outlined above would create new well-paying and reliable domestic union jobs for dock and maritime workers in port cities invested in developing these green technologies.

In closing, we once again thank your Administration for its leadership on maritime shipping decarbonization and appreciate the consideration of this request. By issuing an Executive Order that includes the recommendations presented here and offers a comprehensive, whole-of-government approach to transitioning the shipping sector towards a zero-emissions future, your Administration would build on the momentum and energy coming out of MEPC 80. By acting now, we can ensure that the shipping sector is on an emissions-reduction pathway that would avoid the worst impacts of the climate crisis, protect port communities, and advance the essential actions to which your Administration has committed in the U.S. Nationally Determined Contribution, the OCAP, and the Blueprint for Transportation Decarbonization. We look forward to working with you on such an Executive Order.

Sincerely,



CC: Michael Regan, Administrator of the U.S. Environmental Protection Agency
Jennifer Granholm, Secretary of the U.S. Department of Energy
Pete Buttigieg, Secretary of the U.S. Department of Transportation
Admiral Linda L. Fagan, Commandant of the U.S. Coast Guard