

**Animal Welfare Institute ♦ Cetacean Society International
Dolphin Connection ♦ Earth Law Center ♦ Friends of the Earth
Green Vegans ♦ In Defense of Animals
International Marine Mammal Project of Earth Island Institute
legalSeas ♦ Marine Connection ♦ Ocean Conservation Research
Oceanic Preservation Society ♦ Ontario Captive Animal Watch
Orca Research Trust ♦ Terramar Research
Whale and Dolphin Conservation ♦ The Whaleman Foundation
World Animal Protection ♦ World Cetacean Alliance**

July 20, 2020

The Honorable Mitch McConnell, Majority Leader
United States Senate, Washington, DC 20510

The Honorable Richard Shelby, Chair
Senate Committee on Appropriations, United States Senate, Washington, DC 20510

The Honorable Charles Schumer, Minority Leader
United States Senate, Washington, DC 20510

The Honorable Patrick Leahy, Vice Chair
Senate Committee on Appropriations, United States Senate, Washington, DC 20510

**RE: Aquariums' request for emergency financial support for zoo and aquarium
animal care costs**

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Shelby, and
Vice Chairman Leahy:

We represent a number of environmental and animal welfare organizations,
representing millions of our members, deeply concerned about animal welfare and
conservation.

It has come to our attention that zoos and aquariums, led by the Alliance of
Marine Mammal Parks and Aquariums, have asked Congress to provide federal
funding to offset these facilities' financial losses due to COVID-19 closures. (See
attached letter dated June 1, 2020.)

While we feel it appropriate for Congress to provide support to such
institutions to help maintain the health and welfare of their animals, we also feel
such funding should come with restrictions on certain activities that are outdated
and no longer acceptable for zoos and aquariums, and directly exacerbate the
financial stressors these facilities are presently facing.

One example is that of keeping of dolphins and whales (cetaceans) in captivity. Extensive peer-reviewed studies in recent years have demonstrated that cetaceans do very poorly in captive conditions in aquariums. Cetaceans are too intelligent, too widely-roaming, too socially complex and in some instances too big, to be held in small concrete tanks to conduct “shows” for the public. Many species face shortened lives in captivity (the opposite of many terrestrial species that have longer lives in captivity), and suffer from numerous stress-related infections, broken teeth, aggression from tank mates, ulcers, and other infirmities (please see Rose and Parsons, 2019, and extensive references therein, for more on these issues: <https://awionline.org/sites/default/files/uploads/documents/AWI-ML-CAMMIC-5th-edition.pdf>).

Furthermore, the capture of cetaceans from the wild for public display continues in various locations, particularly in Japan and Russia, and has a direct impact on the conservation and welfare of these wild populations, some of which have been designated as depleted by the US government or for which population status is unknown.

In addition to these serious negative effects on cetaceans, the problems with keeping orcas (and other cetacean species) in captivity were dramatically underscored by the documentary *Blackfish* (2013), which featured many former orca trainers who worked at SeaWorld and other facilities. In the wild, for example, orcas have never killed or seriously injured a human in all of recorded history. But captive orcas, frustrated and bored, have killed four people in aquariums (including three trainers) and have seriously injured several more.

As such, we conclude, along with many scientists and growing numbers of the US public, that keeping cetaceans in captivity is inhumane, lacking in educational value, and simply not viable and should be phased out (see, e.g., <http://dfe.ngo/scientists-statement/>).

We would like to suggest that any funding for aquariums include the following conditions to help phase out cetacean captivity in the United States:

(1) Aquariums should not import any cetaceans from outside the US, unless the import is in the best interests of the specific cetacean and condition (2), which follows, is satisfied.

(2) Aquariums should no longer allow captive breeding to occur for the reasons noted previously, and because aquariums oppose releasing captive-born cetaceans (so producing more captive cetaceans has no value to wild stocks) and producing more mouths to feed makes no sense during this time of revenue decline.

We also urge Congress, as seaside sanctuaries to retire cetaceans from captivity become operational, to encourage aquariums and the National Marine Fisheries Service to move cetaceans out of small concrete tanks and to more natural environments, such as sanctuaries.

Some of our organizations and others may have other suggestions to offer for improved federal oversight and regulation of the practices at zoos and aquariums for the care of cetaceans and other marine mammals, including limitations for facilities that receive government funding, so we do not mean to preclude any such additional proposals.

But the keeping of cetaceans in small concrete tanks for entertainment purposes should come to an end.

Thank you for your consideration of our views.

Sincerely,

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cc: The Honorable John Hoeven, Chair, Senate Appropriations Subcommittee on
Agriculture, Rural Development, Food and Drug Administration and Related
Agencies

US Senate, Washington, DC 20510

The Honorable Nancy Pelosi, Speaker

US House of Representatives, Washington, DC 20515

The Honorable Nita M. Lowey, Chair, House Committee on Appropriations

US House of Representatives, Washington, DC 20515

The Honorable Raúl M. Grijalva, Chair, Natural Resources Committee

US House of Representatives, Washington, DC 20515

The Honorable Jared Huffman, Chair, Natural Resources Subcommittee on Water,
Oceans and Wildlife

US House of Representatives, Washington, DC 20515