

Congress of the United States

Washington, DC 20515

September 8, 2016

The Honorable Thomas J. Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Vilsack:

We write to urge you to finalize the department's proposed rule to update marine mammal standards under the *Animal Welfare Act*. We also reiterate our request, detailed in an April 28, 2016 letter that a final rule include the strongest possible animal welfare standards.

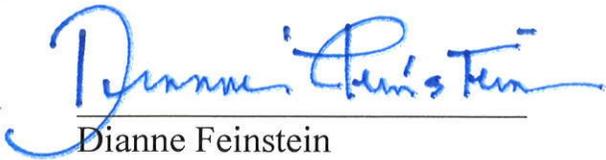
The current marine mammal regulations are sorely outdated. They do not provide sufficient protections for highly intelligent and social species like dolphins and orcas. In 1995, the department recognized that there was compelling evidence that these regulations needed to be updated and began a negotiated rulemaking with industry and other stakeholders. While the department finalized some new marine mammal requirements in 2001, it was unable to reach consensus on regulations pertaining to facilities, enclosure size and water quality. Additionally, the department finalized a rule regarding swim-with-the-dolphins program in 1998, but suspended enforcement of that rule in 1999 due to concerns from both the agency and the industry in how the regulation was written.

In 2002, the department issued an Advanced Notice of Proposed Rulemaking to update the standards for captive marine mammals for the areas where negotiated rulemaking failed to produce a consensus. Fourteen years later, the department finally released a proposed rule for public comment in January. The comment period closed on May 4, 2016.

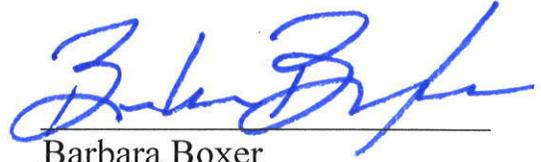
We therefore urge the department to submit a final rule to the Office of Management and Budget for review as soon as possible. If a final rule is not submitted for review soon, this important animal welfare regulation may not be finalized before the end of the year.

Thank you for your attention to this matter. We hope you will send a final rule to the Office of Management and Budget as soon as possible.

Sincerely,



Dianne Feinstein
United States Senator



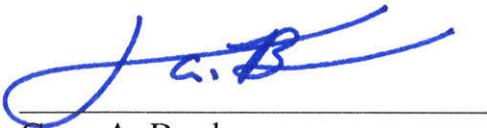
Barbara Boxer
United States Senator



Barbara A. Mikulski
United States Senator



Jeff Merkley
United States Senator



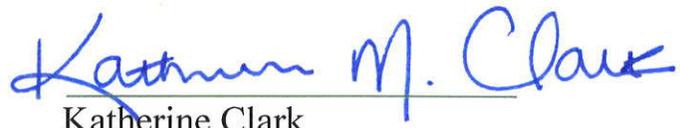
Cory A. Booker
United States Senator



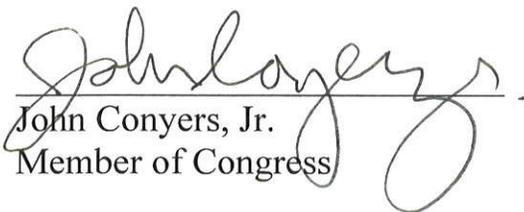
Jared Huffman
Member of Congress



Adam Schiff
Member of Congress



Katherine Clark
Member of Congress



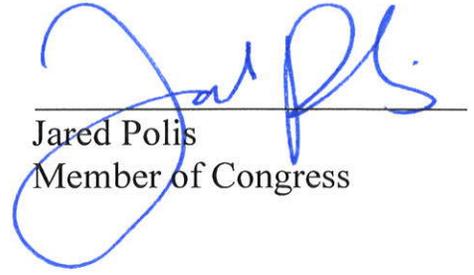
John Conyers, Jr.
Member of Congress



Alcee L. Hastings
Member of Congress



Barbara Lee
Member of Congress



Jared Polis
Member of Congress