

**Animal Welfare Institute • Animals Asia Foundation • Born Free USA  
Center for Biological Diversity • Defenders of Wildlife  
Earthjustice • East Caribbean Coalition for Environmental Awareness  
Environmental Investigation Agency  
Interamerican Association for Environmental Defense  
International Fund for Animal Welfare • Natural Resources Defense Council  
No Whales In Captivity • OceanCare • Sea Shepherd Legal • Shark Research Institute  
Society for Dolphin Conservation, Germany • The Humane Society of Canada  
The Humane Society of the United States • Turtle Island Restoration Network  
Whale and Dolphin Conservation • World Animal Protection**

November 9, 2015

Dear Secretary Pritzker and Administrator Sullivan:

On behalf of the conservation and animal welfare groups signed below, we commend the National Marine Fisheries Service (NMFS) for proposing regulations to implement the Marine Mammal Protection Act's (MMPA) provisions on the import of seafood from nations that fail to meet U.S. marine mammal bycatch standards. 80 Fed. Reg. 48,172 (Aug. 11, 2015). With this rulemaking, the United States can leverage its tremendous market power to save tens of thousands of whales and dolphins around the globe from entanglement and death in fishing gear.

Each year, more than 650,000 whales, dolphins, and other marine mammals die after becoming hooked or entangled in fishing gear. Fishery bycatch poses one of the greatest threats to marine mammal populations worldwide. Several imperiled marine mammals face extinction due to entanglement, including Mexico's vaquita, a tiny porpoise with possibly as few as 50 individuals remaining; false killer whales in the Pacific, off Asia; Mediterranean sperm whales; and North Atlantic right whales, large endangered whales that migrate between U.S. and Canadian waters.

Since 1972, the Marine Mammal Protection Act has required the U.S. government to "ban the importation of commercial fish" caught in gear that kills marine mammals "in excess of United States standards." 16 U.S.C. § 1371(a)(2). Yet for decades, the provision was largely ignored, allowing nations with *no* marine mammal protections to export and sell seafood to U.S. consumers.

We strongly support NMFS's decision to issue regulations implementing the MMPA's import requirements, and we greatly appreciate the tremendous effort from the NMFS staff in crafting the proposed rule. We believe a comprehensive, detailed, and rigorous regulatory scheme will both ensure marine mammals in foreign waters receive equivalent protections and provide clarity and predictability for nations seeking to export fish to the United States.

While we support the rulemaking, we believe the final rule can be improved. Specifically, we request that the agency adopt a bycatch standard that fully mirrors U.S. standards, including the MMPA's zero mortality rate goal; define "fish and fish products" to include *all* fish products,

including highly processed products such as fish sticks; and require a more aggressive timeline for implementing the rule than the five years that are proposed.

Thank you for your commitment to the protection of marine mammals both in our domestic waters and around the globe.

Sincerely,



Cathy Liss  
President  
Animal Welfare Institute



Adam Roberts  
Chief Executive Officer  
Born Free USA  
Born Free Foundation



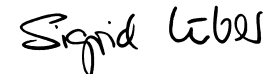
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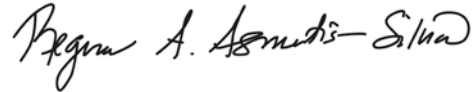
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