

Marine Mammal Protection Act

Landmark law for some of America's most beloved species

In 1972, Congress responded to overwhelming public support for marine mammals by adopting the Marine Mammal Protection Act (MMPA). Since that time, the MMPA has protected the country's whales, dolphins, seals, sea otters, polar bears, manatees, and other much-loved species from harm. Indeed, buttressed by the Endangered Species Act, the MMPA has prevented the loss of *any* marine mammal population in the United States, even as our use of the ocean has increased. But the challenges posed by new ocean industries and large-scale changes in ocean ecosystems have put America's marine mammals at greater risk—and underscores the need for a robust MMPA.

Why is it important to protect marine mammals?

- Whales and other marine mammals are of **immense cultural importance**. As polls consistently show, the vast majority of Americans support protecting marine mammals from harmful human activities.
- Marine mammals are **integral to ocean health**. For example, great whales are ecosystem drivers that move nutrients up through the water column and across vast distances, supporting many species of marine life, including commercially valuable fish and invertebrates.
- America's marine mammals are the basis for **the world's largest wildlife-watching industry**, with operations supporting communities in every coastal region, including Alaska and Hawaii. The industry is estimated to contribute billions of dollars to the U.S. economy, while providing thousands of tourism jobs. It now includes sea otter, seal, manatee, and dolphin-watching as well as whale-watching tours.
- Marine mammals can be difficult to monitor and are **highly vulnerable** to unintended human impacts. Ecosystem change is making it more challenging for these species to find the food they need to survive and is driving them into areas with greater conservation threats.

What does the Act do?

- The MMPA **protects all marine mammals in the United States**, including whales, dolphins, seals, and manatees. It does this by prohibiting activities that “harass, hunt, capture, or kill” any



Humpback whale, orcas, and manatees. Credit: NOAA.

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marine mammal or attempt to do so, effects that are referred to as “takes.” Exceptions can be made for “takes” that are incidental to otherwise lawful activities, including commercial fishing, scientific research, and public displays at institutions such as aquariums.

- The MMPA **keeps vulnerable populations from diminishing** to the point that they require listing under the Endangered Species Act and helps recover depleted species. According to a 40-year study of the Act, far fewer species of marine mammals are considered at-risk in the United States than they are elsewhere in the world.
- The MMPA helps ensure that the seafood enjoyed by American consumers is harvested sustainably, working with fishermen and scientists to reduce entanglements of marine mammals. It also helps **protect marine life from overfishing by foreign fishing fleets**, by banning imports from foreign fisheries that do not meet U.S. bycatch standards.
- The MMPA **establishes co-management of marine mammals in Alaska**, where marine mammals are central to Alaskan Native subsistence, culture, and way of life. The MMPA ensures that only Alaskan Natives may harvest marine mammals for food, handicrafts, and clothing, provided the harvest is not wasteful.
- The MMPA **sets science-based standards for the import and treatment of live animals** for public display, to ensure sustainability and humane handling.
- The MMPA requires **regular monitoring** of the key indicators of population health, like abundance and distribution, to ensure that marine mammal populations are conserved.