

Congress of the United States

Washington, DC 20510

June 29, 2023

Kevin Shea, Administrator
Animal and Plant Health Inspection Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250

Janet Coit, Assistant Administrator
National Marine Fisheries Service
NOAA Fisheries
1315 East-West Highway
Silver Spring, MD 20910

Dear Administrator Shea and Assistant Administrator Coit:

We, along with thousands of people nationwide, were pleased to see Miami Seaquarium (MSQ), Friends of Toki, and Miami-Dade Mayor Daniella Levine Cava come together in March to announce their commitment to moving Tokitae (also known as Lolita) out of her tiny tank at MSQ, after more than 50 years in captivity.

Tokitae's tank is the smallest orca enclosure in the world, which has always been a serious concern. Through a June 2021 AWA inspection report, we learned that Tokitae was fed rotten fish, had her diet drastically cut, and was made to perform behaviors that resulted in injury. Tokitae has always been kept in substandard conditions, but this report suggested she was poorly cared for as well. In 2022, after Tokitae experienced a loss of appetite, veterinarians confirmed she was seriously ill and she began receiving round-the-clock medical care. Measures taken by Friends of Toki have since improved Tokitae's conditions and her health has stabilized, which we are all glad to see.

However, we also know that the [Whale Stadium is in very poor condition](#), having been the subject of a 2021 repair or demolish order from the Miami-Dade Unsafe Structures Board. Most recently, an [exclusive news report](#) from Local10News described the stadium as "already in disrepair," and Eduardo Albor, CEO of the Dolphin Company, emphasized that repairing the structure is impossible while Tokitae still occupies it.


With the 2023 Atlantic hurricane season (June through November) now underway, we are gravely concerned that Tokitae's tank will not withstand another storm like Miami experienced in 2017. During Hurricane Irma, Miami Seaquarium sustained considerable damage and the park had to be closed for approximately one month. Although other animals were moved to higher ground, Tokitae was left in her tank. Not only did the storm appear to turn the tank water [murky](#), upon their return to the park, her caretakers found Tokitae's tank to be [full of debris](#). While she endured then, she may not be so lucky next time.

Therefore, we urge you to expeditiously explore all available options, in both the short-term and long-term, to ensure Tokitae's safety. This includes consideration of whether Tokitae should be moved, at least on a temporary basis, to a more suitable location until any plans to bring her to a more permanent location can be solidified and the necessary permits obtained. We all want what is best for Tokitae, and she should not be made to endure (or fail to survive) another hurricane.


season in the Whale Stadium, given the risks a major storm poses to the structural integrity of her enclosure.

Thank you for your consideration and we look forward to your prompt response.

Sincerely,



Suzan K. DelBene
Member of Congress



Jared Huffman
Member of Congress



Nicole Malliotakis
Member of Congress