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antarctic pelagic-whaling fleets for the 1965-66 season.

Scientific evidence was presented to show that only if the total catch for 1965-66 were held to less than 2,500 b.w.u. (made up of not more than 4,000 fin and 3,000 sei whales) could it be ensured that stocks of fin and sei would not be further depleted. The basis for discussion was a report by a group of scientists, and submitted by FAO, of analyses of data supplied especially by the Bureau of International Whaling Statistics, the commission having made no arrangements for appraisal of the recent scientific data. This report, together with FAO's consistent refusal to be associated with a policy which could ultimately lead to destruction of the whale resources, were factors of the greatest importance to the meeting.

There was unanimity among the countries represented at the meeting as to the desirability of reducing catches to within the sustainable yield and of ultimately reducing them still further, so that whale stocks could increase to the point where maximum sustainable yields could be obtained.

Four separate proposals, submitted by the representatives of the U.S.S.R., Norway, Japan, and the United States, respectively, were examined by a special committee whose essential purpose it was to obtain the agreement of the three pelagic-whaling countries to any one of the proposals, and preferably to the one giving the highest degree of protection to the whales.

This committee failed to reach agreement in spite of a last-minute attempt by the U.S.S.R. and the United States, who put forward virtually identical amendments proposing adoption of a quota of 4,000 b.w.u. for the 1965-66 season.

The amendments contained the proviso that each member of the commission bind himself to recommend to his own government that it should agree to further reductions in the 1966-67 and 1967-68 quotas—reductions designed to insure that the 1967-68 quota would be lower than the sustainable yield of both fin and sei stocks at that time.

The Japanese finally offered to accept the U.S.S.R.-United States proposal provided the 1965-66 quota was raised to 4,500 b.w.u. The Canadian representative and others attempted to have the clause concerning further reduction in quotas defined more precisely and made more binding, but their efforts were unavailing. The Japanese amendment was put to the vote and carried.

OBJECTIONS

The official press release issued by the International Whaling Commission after the meeting states that "there is thus for the first time a plan for the effective conservation of whales in the Antarctic," but this optimistic assertion appears to be premature, since the agreement is open to the following objections.

1. The 1965-66 quota of 4,500 b.w.u. is almost twice as high as the 2,500 b.w.u. which the scientific advisers regard as the maximum for the 1965-66 season if stocks of fin and sei are not to be still further depleted.

2. The wording of the statement concerning the reduction of quotas for the two subsequent seasons to within the sustainable yield of existing stocks is very imprecise, and the Japanese delegate was notably evasive in giving his interpretation of it.

3. The intention, implicit in the agreement, is that the reduction should be to the level which would permit basic whale stocks to increase, but this essential requirement is not clearly stated.

4. The quota applies only to pelagic whaling and takes no account of the catch from shore stations. The 500 b.w.u. taken from South Georgia, for example, during the 1964-65 season is a significant amount in relation to the overall pelagic catch.

5. The quota continues to be expressed in blue whale units, a procedure which gives inadequate control over the killing of individual species. Thus, in theory, the entire quota could be taken in either fin or sei, with disastrous results to either of those species.

PROPOSED MEASURES

Therefore, although it is true that the agreement recognizes the need to conserve whale stocks in the Antarctic, this need is unlikely to be met unless further measures, along the following lines, are adopted:

1. The proposal to reduce the catch to the level of sustainable yield by 1967-1968 should be unequivocally stated as part of a firm policy directive by the commission; indeed, the quota for that season should be set sufficiently below the sustainable yield to allow some significant increase of whale stocks to begin.

2. The system of basing quotas on the blue-whale-unit formula should be abandoned, and quotas for each species should be laid down.

3. Quotas should cover both shore station and pelagic catches.

4. Both the blue whale and the pygmy blue whale should be specifically accorded absolute protection throughout their entire range. (At the Sandefjord meeting the commission recommended the complete prohibition of the capture of blue whales in the Antarctic, but the pelagic whaling countries subsequently objected to this decision so it is now null and void.)

5. Urgent steps should be taken to prevent the whaling fleets that cannot, because of reduced quotas, be employed in the Antarctic from destroying stocks elsewhere, as in the North Pacific.

6. The International Observer Scheme¹, on which the commission has already agreed in principle, should be implemented without further delay.

CONCLUSION

Unless there is firm agreement along these lines the prospect will continue to be as disturbing to conservationists as it must presumably be to some sections of the whaling industry. In the words of S. J. Holt, of FAO, one of the three scientific advisers, "cut-throat competition, eventual extermination of species and the death of the Antarctic whaling industry could result unless last-ditch agreement is reached in the Antarctic whaling crisis—stocks are now so small that only the most drastic action can save the whaling industry from complete collapse within a very few years, after which it will be generations before the residual stocks recover to a productive level. Some of them may never recover."

Holt has stated that the maximum sustainable yield of antarctic whales would be slightly more than 1.5 million tons annually after the stocks had been allowed to build up; this is perhaps two-thirds of the potential world whale catch. At current prices this would be worth some \$200 million each year. It seems almost incomprehensible that a sustainable natural resource of this magnitude should be allowed to become virtually extinguished and a valuable industry brought to a standstill because a minority of its members are motivated by what has been aptly termed a "plunder now, pay later" policy.

Rational utilization of this resource is perfectly legitimate, but exploitation to the point of extermination is as inexcusable as it is shortsighted. Quite apart from ethical considerations, total destruction of whale stocks does not make very good economic sense. Yet, not only has international agree-

ment so far failed to prevent irresponsible overexploitation of this valuable and irreplaceable natural resource, but the whaling industry itself has entirely failed to look to the future and to plan long-term operations in the light of the scientific evidence available to it. Adoption by the commission of the recommendations of its own scientific advisers would involve no surrender to sentiment but would provide a blueprint both for insuring the continuance of whale stocks and for securing the whaling industry's own means of existence.

The unrestricted slaughter which resulted in the near-extermination of whales in the Northern Hemisphere during the last century could be in part excused on grounds of ignorance. That excuse is no longer valid, yet an identical result is now likely to be achieved quite deliberately—even, apparently, at the cost of self-destruction of the industry.

POWER IN GOVERNMENT

Mr. MONDALE. Mr. President, our Constitution instituted a system of governmental checks and balances which is without peer. The Constitutional Congress without doubt intended that the executive branch should vigorously maintain its prerogatives and keep alive the balance between the three branches.

President Johnson's handling of the military construction bill is a good case in point and it has been well emphasized by the Winona Daily News in Winona, Minn. I would like all of our Members to have the opportunity to read its comments and I ask unanimous consent that its editorial of September 7 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Winona (Minn.) News, Sept. 7, 1965]

POWER IN GOVERNMENT

President Johnson's conduct in office has led to much talk about the great power of the Presidency. It is well to bear in mind that Congress is constantly trying to stretch its powers at the expense of the executive department, and that a strong Presidency is a useful check on that effort.

Take the military construction bill authorizing a payment of \$1.78 billion. This bill has been vetoed by President Johnson because of a section providing that no military camp or post shall be closed or cut down until 120 days after reports of the action are made to the Armed Services Committees of the House and Senate.

Such a provision would deprive the President of his power to make savings in the offices under his charge, unless Congress approved. Should this practice be broadened, the executive department would not be under the President's control but under that of Congress.

This is not the first recorded attempt at congressional encroachment in this administration. Earlier this year in a minor flood relief bill Congress stipulated that some projects could be carried out only if the congressional committee approved. The President very properly vetoed this scheme.

These observations should not be taken as asserting that Congress ought to be subservient to the Chief Executive. Congress could do much, indeed, to extend its power through debate of substantive issues apart from whatever program the White House proposes. But neither should Congress be enabled to usurp the Executive power. Our system of checks and balances has served us well.

¹ Under the International Observer Scheme, an officially appointed foreign observer would be attached to each whaling fleet to insure that all ships engaged in whaling conform to the regulations.