OKINAWA REVERSION TREATY

ANNEX TO HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE NINETY-SECOND CONGRESS FIRST SESSION ON Ex. J. 92-1

THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND JAPAN CONCERNING THE RYUKYU ISLANDS AND THE DAITO ISLANDS (Letters and Statements Submitted for the Record Subsequent to the Printing of the Hearings)

OCTOBER 27, 28, AND 29, 1971

Printed for the use of the Committee on Foreign Relations

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DEAR SENATOR FULBRIGHT,
Washington, D.C.

A reading of the Presidential Message to the Senate on the agreement with Japan concerning the Ryukyu Islands and the Daito Islands reveals that the U.S. plans to continue to occupy all of our essential bases, and that Japan plans to move in Self-Defense Forces. Had the Okinawans been included in the discussions of this matter so vital to their interest, they would have endorsed reversion, however a special kind of reversion free from military occupation, free from heavy polluting industry. They want a return to their peacetime economy, largely farming and fishing, both impossible as long as their farmlands are covered with military bases and their fishing areas with oil spills.

Any responsible treaty or agreement with Japan concerning Okinawa will take into account the welfare of the Okinawan people and will not use their country as a pawn in power politics or a bargaining chip in an outdated policy of China containment. A militarized Okinawa maintains tension in the Far East, poses a threat to China, undermines our efforts towards reconciliation. Conversely a demilitarized Okinawa would grant the Ryukyuans the freedom to re-establish a peace-oriented economy; would relieve tension in the Far East and would re-enforce our friendly overtures to China.

It doesn't really require a China scholar to see that the assumptions upon which our foreign policy is based need to be re-examined in the light of the total failure of our mad adventures in the Far Pacific. Thucydides and Jeremiah made it clear a long time ago that moral bankruptcy leads to total bankruptcy.

However there is in this country a renaissance of the spirit which will not easily tolerate injustices, which seeks instead to understand the needs of the third world and meet them equitably. There is an understanding that without justice there may be the temporary quiescence of repression but no real peace because peace springs from a foundation of justice. There is a dream of a brave, new world, strangely familiar to Americans voiced in our history, with justice accorded to all men of whatever race or creed or national origin. We of the Peace Movement shall bend every effort to realize this dream. Shall we start, Mr. Chairman, with a just treaty for Okinawa?

Sincerely,

MARY BYE.

DOYLESTOWN, PA., November 2, 1971.

Senator J. WILLIAM FULBRIGHT,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Mr. Philip Trimble of the Senate Foreign Relations Committee staff has suggested that I send whatever material I deem advisable for you and your committee's consideration before noon on Friday, Nov. 5 when the written hearings on the "Agreement between the U.S. and Japan concerning the Ryukyu Island and the Daito Island" will close.

I have selected the Okinawan Peace Mandate, a subjective statement of the longing of the Okinawans for peace a leaflet which presents a specific instance of the insensitivity of the American military personnel to the needs of the Okinawans in taking over an Okinawan resort area for the benefit of the Marines.

Sincerely,

MARY BYE.

(1)
IHA CASTLE STRUGGLE--LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.

If we believe that our Constitution speaks to all people, not just to Americans; if we believe that it is true that all men are equally deserving of all of the "pursuit of happiness"; then isn't your treatment of Okinawan people unjust?

For 20 years Okinawans have witnessed their farmlands being used to support the American military. They have had no choice but to face the reality that American soldiers are using Okinawa to support a war against their Asian brothers and sisters in Indo-China. Now, once more the American military.

They have had no choice but to watch their island support war and expansion of U.S. military personnel and dependents rarely.

We appeal to you, Mr. Nixon, and the Okinawan people will only create further suffering and devastation for the many Okinawan Christian Peace Committee, first edition (composed of the Okinawan Christian Peace-Mandate Committee, Okinawan Young Democrats (Peace in Vietnam), and a group of young workers called Central Anti-War Committee, the mandate was completed in early May of this year), in order to stop the American military aggression and destruction in Asia and any such future occurrence, we demand a total and immediate end to all military bases, personnel, and weapons on Okinawa.

Further complicity and silence at this point by the Japanese, the American militarists.

More than in the period following World War II, Okinawa was a key military stepping stone for Japanese militarists, who in the name of the emperor waged war on the people of Asia.

American militarists discovered the usefulness of Okinawa as a base for military aggression during their war against the Korean people, and in pursuing their containment of China policy. Presently, to destroy and to devastate the Indochinese people.

In pre-World War II days Okinawa played an integral part in Japanese expansion into Asia. During World War II Okinawa was a key military stepping stone for Japanese militarists, who in the name of the emperor waged war on the people of Asia.

American militarists discovered the usefulness of Okinawa as a base for military aggression during their war against the Korean people, and in pursuing their containment of China policy. Presently, to destroy and to devastate the Indochinese people. American militarists have turned Okinawa into the primary military kasetsuki for pursuing that war.

Here are only a few of the reasons why the people of Okinawa are so upset. They approach you as men and women, concerned for their children's welfare; concerned that the Okinawan people be permitted to take an active role in world peace instead of war, and concerned about protecting their soil and their nation's right as above, liberty, and the pursuit of happiness".


Dear Friends: Enclosed is a document called the OKINAWAN PEACE MANDATE. Drawn up by the combined efforts of the Okinawan Christian Peace-Mandate Committee, Okinawan Young Democrats (Peace in Vietnam), and a group of young workers called Central Anti-War Committee, the mandate was completed in early May of this year, in order that Okinawan people's desire that their homeland be a "Keystone For Peace," rather than the military "Keystone of the Pacific Defense" that it has been for the last twenty-six years. As such an expression, it is a reflection of the will of Okinawans.

With the revision of the terms of Okinawa's reversion, ignoring the protests and boycott of that agreement, etc. These questions will be carefully examined in the English edition of a publication by the combined efforts of the Okinawan Christian Peace-Mandate Committee, Okinawan Young Democrats (Peace in Vietnam), and a group of young workers called Central Anti-War Committee, the mandate was completed in early May of this year, in order that Okinawan people's desire that their homeland be a "Keystone For Peace," rather than the military "Keystone of the Pacific Defense" that it has been for the last twenty-six years. As such an expression, it is a reflection of the will of Okinawans.

We resolve to bear the responsibility for the above-mentioned crime against humanity.


Mr. Chairman: My name is Kyo-zai Lawrence Chang, and I am an Associate Professor of Economics at Case Western Reserve University, Cleveland, Ohio. I am making this statement for myself and on behalf of seven Americans in Cleveland.
of Taiwan in 1895 after the Chinese-Japanese War. Under Japan's rule, the islands are separated from bad weather. Their use as fishery grounds and sanctuaries is similar to that of Great Britain. Since discovery by the Chinese five centuries ago, the Tiao-Yu Tai Islands have been administered as part of Taiwan. They were ceded to Japan as part of the Treaty of Shimonoseki in 1895 after the Chinese-Japanese War. Under Japanese occupation, the islands were administered by Taiwan up to the end of World War II. In 1945, when the Ryukyu Islands were surrendered to the United States, the Tiao-Yu Tai Islands were not surrendered to the United States Army, they being recognized as part of Taiwan. A more complete historical analysis and a geographical description of the islands are contained in the attachment.

Fishermen from Taiwan have made the Tiao-Yu Tai Islands their habitual fishing grounds and sanctuaries from bad weather. Their use of the islands has continued through the years and succession of governments. The United States, after the 1952 Peace Treaty with Japan, has assumed administrative authority over the Tiao-Yu Tai Islands. The inclusion of the Tiao-Yu Tai Islands in the boundaries of the Ryukyu Islands by the United States Civil Administration of Ryukyu (USCAR Ordinance #27) was unilateral and could have at most a limited transitional legal force. As the Ryukyu Islands are returned to Japan, the Tiao-Yu Tai Islands should be reverted to the jurisdiction of Taiwan, China. The relevant documents and analysis in support of this conclusion are included in the attachment.

We feel it our duty to emphasize that the United States has the responsibility to verify the claims to Tiao-Yu Tai. It is inappropriate and unwise for the United States as the leading Allied Power to suggest that after the islands are returned to Japan China and Japan can settle their opposing claims through negotiation. A dispute over the sovereignty of the islands has arisen, and effecting the return of the islands to Japan cannot now be a neutral act.

Failure of the United States to resolve the dispute over the Tiao-Yu Tai Islands now will probably lead to confrontations between China and Japan in the future and endanger the peace and stability in the Far East and Pacific Area. The United States cannot escape responsibility when conflicts occur. The situation of the United States is similar to that of Great Britain with regard to India and Pakistan. Having effecting the partitioning of the subcontinent into two independent countries, Britain has become a cause of subsequent conflicts between these two countries.

The handling of the Tiao-Yu Tai Islands will affect the effectiveness of the United States in international affairs. The Tiao-Yu Tai Islands may be minor in terms of physical size, however, the issues of justice and sovereignty involved are serious and far-reaching. All Asian nations are watching the conduct of the United States. The judiciousness of American action, the sense of responsibility
Japan concluded the Treaty of Shimonsenki in May, 1905, whereby China ceded Taiwan and its surrounding islands to Japan. 13

After the Second World War, as a result of the Cairo Declaration (1945) and Potsdam Declaration (1945) and Sino-Japanese Treaty (1952), the sovereignty rights of Tiao-Yu Tai were returned to China.

SECTION II (a) Position of Our State Department

Before the Signing of the Okinawa Reversion Treaty of June 19, 1971

According to communications received from the officials of the Department of State, the position of the United States government on Tiao-Yu Tai islands was: 14

"Under Article 8 of the Treaty of Peace with Japan, the U.S. has full administrative rights over "Nansei Shoto", including the Ryukyus, south of 29 degrees north latitude. The term "Nansei Shoto" was understood to mean all islands under Japanese administration at the end of the war which were not otherwise specifically referred to in the Peace Treaty. The term, as used in the Treaty, was intended to include the Senkaku Islands.

"As a result of an understanding reached by President Nixon and Prime Minister Sato in November 1969, the United States expects to return to Japan in 1972 all the rights it acquired over these islands under the Treaty of Peace. In short we will return to Japan rights which we obtained from Japan, and this action, by itself will neither enhance nor diminish any claim to sovereignty over the islands."

"The U.S. has consistently maintained that any dispute over sovereignty over the Senkaku Islands should be settled by the parties themselves (or, if they wish, by third party adjudication). Neither the Peace Treaty nor the Reversion Agreement will dispose of such a dispute."

After the Signing of the Treaty

"The United States government is aware that a dispute exists between the governments of the Republic of China and Japan regarding the sovereignty of the Senkaku Islands. The U.S. believes that a return of administrative rights over these islands to Japan from which those rights were received can in no way prejudice the underlying claims of the Republic of China. The U.S. cannot add to the legal rights Japan possessed before it transferred administrative rights to the islands to the U.S. nor can the U.S. by giving back what it received diminish the rights of the Republic of China."

SECTION II (b) Position of The People's Republic of China

Before the Signing of the Treaty

The People's Republic of China expressed her position on Tiao-Yu Tai through articles published in Renmin Ribao (People's Daily). Relevant quotes are given below:

"The Tisuny and other islands are China's territory, over which China has invincible sovereignty. The question of U.S. imperialism having so-called "administrative rights" over these islands which belong to China simply does not exist.

... It is obvious that U.S. imperialism's aim in doing so is to confuse us and encourage Japanese militarism to carry out expansion abroad and use the Japanese rearmament as an instrument for pushing the "Nixon doctrine" in Asia. This is a fresh crime in U.S. imperialism's hostility towards the Chinese people. The Chinese people have always maintained that U.S. imperialism should return the islands to China."
Obinawa, which it has occupied by force, to the Japanese people. But we will never yield the U.S. and the Japanese reactions to annex China's sacred territory and other islands by making use of the "Okinawa Reversion Agreement." We want to warn the Japanese reactions once again: Gone for ever are the days when China was compelled by armed force to cede territory and then to recognize it. China's sovereignty over the Tsingyao and other islands breaks no encroachment by anyone. In the fact of the great Chinese people, all your intrigues to annex China's territory in collusion with U.S. imperialism are futile and bound to be dashed to pieces. For complete translation see Peking Review, p. 14, No. 10, 1972.

AFTER THE SIGNED OF THE TREATY

A spokesman of the Foreign Ministry tendered the upcoming transfer of the Tsing-Yu Tai Islands to Japan as "completely unacceptable."

SECTION II (c) POSITION OF JAPAN

The Ministry of Foreign Affairs of the Republic of China issued a solemn statement on June 12, 1951, to make known on all over the world the circumstance, which the Republic of China exercises its territorial sovereignty, the Chinese government considers it necessary to emphasize once again its position, and make its views known to the world. These islands belong to the Chinese Province of Taiwan and thus constitute part of the territory of the Republic of China. They are close to the coast of the Philippine Islands and the Tsing-Yu Tai Islands. Relevant quotes are given below:

Hearing that the United States Government and the Japanese Government are going in the immediate future formal instruments for the transfer of the Ryukyu Islands and the Tsing-Yu Tai Islands in September, the Taiwanese government, which the Republic of China exercises its territorial sovereignty, the Chinese government considers it necessary to emphasize once again its position, and make its views known to the world.

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A spokesman of the Foreign Ministry declared on September 10, 1951, that "There is no room for doubt that the Senkaku Islands belong to Japanese territory. We have regard to the territorial status of the islands, therefore, Japan has no intention to negotiate with any nation."
SECTION III (c) ARGUMENTS OF THE CHINESE PEOPLE IN SUPPORT OF THEIR GOVERNMENTS' CLAIM TO THE SOVEREIGNTY OF TIAO-YU TAI

"He who forgets the past is condemned to relive it." — George Santayana.

For this reason, the Chinese people, who have lived through repeated Japanese military and economic aggressions since the war of 1937, are very much alarmed, when they detect this new territorial expansionist design of the Japanese government. For the same reason, we, who live in the shadow of the Pearl Harbour and the agony of the Second World War, are much in sympathy with their feelings.

Although the governments of China have not given any detailed statement substantiating the basis of China's claim to Tiao-Yu Tai, the Chinese in Taiwan, Hong Kong, and the overseas Chinese in the United States, Canada, Japan, West Germany, Philippines, and Belgium have documented historical, geographical and legal reasons pertaining to why the Tiao-Yu Tai Islands belong to China.

In the following paragraphs, we summarize their findings:

(i) FROM THE GEOGRAPHICAL VIEWPOINT

Geographically, Tiao-Yu Tai is intimately related to the China mainland and Taiwan, it is about 120 miles from Taipei and 240 miles from Okinawa. Its surrounding waters, particularly the Ryukyus, were internationally recognized as part of China, not that of the Ryukyu Islands.

The oceanic currents and prevailing winds of the area make passage by sail from the Ryukyus to Tiao-Yu Tai extremely difficult. That is why Tiao-Yu Tai was discovered and used exclusively by the Chinese until 1884. The islands are very important as a refuge for Chinese fishermen who have to cope with frequent storms in the area. They built rudimentary cart-tracks, sheds and a pier.

The Chinese fishermen are accustomed to utilisations of the mainland and the surrounding waters from the Ryukyus to Tiao-Yu Tai. Geographically speaking, then, Tiao-Yu Tai is considered an island appertaining to Taiwan.

(ii) FROM THE USAGE VIEWPOINT

In the following paragraphs, we shall summarize their findings:

The oceanic currents and prevailing winds of the area make passage by sail from the Ryukyus to Tiao-Yu Tai extremely difficult. That is why Tiao-Yu Tai was discovered and used exclusively by the Chinese until 1884. The islands are very important as a refuge for Chinese fishermen who have to cope with frequent storms in the area. They built rudimentary cart-tracks, sheds and a pier. Their fishing operation in the area amounted to a yearly intake of 12,000 tons, totaling $1.75 million.

(iii) FROM THE HISTORICAL VIEWPOINT

The following table disposes the claim by Japan that the Tiao-Yu Tai Islands were first discovered by a Japanese individual in 1884. Moreover, the major islands in that group had been properly identified by the Chinese as early as the Ming Dynasty. Hence, the Tiao-Yu Tai Islands are part of China, not that of the Ryukyu Islands.

Year | Event |
--- | --- |
1605 | The first documented Chinese recording of the Tiao-Yu Tai Islands—Shun Fung Hsiang, 1608, a recording of voyages between China proper and the Ryukyus. It described a journey to Tiao-Yu Tai. (Library of Congress 1985-0922) |
1934 | All the major islands in that group had been properly identified by the Chinese as early as the Ming Dynasty. Hence, the Tiao-Yu Tai Islands are part of China, separate from the Ryukyus. (Columbia University 1910-0592) |
1895 | The government of China ceded the Senkaku Islands to Japan, in the Treaty of Shimonoseki, 1884, concluded between China and Japan. The islands belong to Japan, not China. (Lamont Library, Harvard University, Class of 1962, 1962-05-25) |
Date:
1962

Sino-Japanese Peace Treaty was concluded. Article 4 reads: "It is
recognized that all treaties, conventions and agreement concluded
before December 8, 1941, between China and Japan have
become null and void as a consequence of that war."

(1) The State Department cites Article 3 of the Peace Treaty as the sole legal
document supporting its claim that the U.S. had acquired administrative rights
over the Tiao-Yu Tai Islands from Japan. But the fact of the matter is that
neither the Treaty, nor any document attached to the Treaty, mentioned the
Tiao-Yu Tai Islands, let alone specifying them as a part of the Ryukyus.

(2) USCAR Ordinance 27, issued by the United States Civil Administration
of Ryukyus on December 25, 1953, was cited in the Okinawa Reversion Treaty as
the document which defines the boundaries of Ryukyus, which included the Tiao-
Yu Tai Islands. Note that this document represents only the unilateral decision
of the U.S. Civil Administration of Ryukyus. It can in no way be equated to the
Peace Treaty of San Francisco, signed by the Allies in 1951. The Civil Adminis-
tration had no business defining the boundaries of Ryukyus, especially when in
so doing, it included a piece of another nation's territory. One nation had
already had our hands full playing the role of world's policeman. Do we really want
to take on the additional role of defining the boundaries of Ryukyus, which
militarily involves defining the boundaries of China and Japan?

(3) From the evidence presented in the preceding section, it seems clear that
after the Allies' acceptance of the Formal Instrument of Surrender by Japan, all
power rights of the Tiao-Yu Tai Islands rests with China. Therefore, whatever
doctrine rights the U.S. might have over these islands in the ensuing years, the
U.S. could only have derived them from China, either explicitly or implicitly.

(4) As a consequence of the above, the State Department's position that we
are "returning to Japan whatever rights (over the Tiao-Yu Tai Islands) which
we obtained from Japan", seems completely untenable. As a minimum, the State
Department should try to prevent the use of Okinawa Reversion Treaty in a way
prejudicial to Chinese claims to these islands.

(5) When the State Department says that the dispute over sovereignty of
these islands should be settled by the parties themselves, and then signs the islands over
to one of the parties, it is fueling the fires of international tension.

SECTION IV FEELINGS OF AMERICANS OF CHINESE DESCENT

The feelings of Americans of Chinese descent concerning the sovereignty of the
Tiao-Yu Tai Islands are partially reflected by the following:

1. Within six months of the news of the Japanese claim, Chinese-Americans
throughout the nation organized local Action Committees to defend Tiao-Yu Tai.
There are presently more than 100 committees in over 30 states.

2. Two series of demonstrations were held in support of the islands:
(a) January 29-30, 1961, in New York, San Francisco, Los Angeles, Seattle and
Chicago. There were over 1,900 demonstrators in New York alone.
(b) April 9-10, 1961, in Washington, D.C. and other cities. According to
the New York Times, "A dispute ... brought thousands of Chinese and
Chinese-Americans into the streets in Washington and other cities this
weekend. The demonstrations involved over 2,000 Chinese, a figure that, tak-
ing into account the size of the Chinese community in the country, is propor-
tionately equivalent to a million Americans."

3. A full page Open Letter to President Nixon published in the New
York Times on May 23, 1961, signed and financed by over 200 professors and
professional people. A copy of that advertisement is enclosed.
In regard to Okinawa, I would like to enter the printed hearings a statement, "Essential Points of Struggle on the American Occupation of the Okinawa Reversion Committee to the Motherland. It accurately expresses the feeling of all layers of the Okinawan people to the terms of reversion. Fukikyo has a large membership of 150 different labor unions, organizations and groups in the Ryukyu Islands which includes over 200,000 people.

In a poll taken by the Asahi Shim bun on September 27, 1971, 68% of the Okinawan people do not like the terms of reversion, and 69% like to vote yes or no on the reversion treaty. In view of this widespread opposition to the reversion agreement and in view of the fact that Okinawa has been governed by the United States since the end of World War II, in the spirit of representative democracy that is the core of the Declaration of Independence, it is therefore an inalienable right of the Okinawan people that they have the option to vote. It is a public duty to ascertain the will of the chief of state of Okinawa. Yara in 1968 it was apparent that the Okinawan people wanted reversion and the continued removal of all American military bases, labor unions, industries; in a large segment of Okinawan feeling toward reversion and the presence of the U.S. military.

Another reason I propose that the hearings on Okinawa that closed on October 29, 1971 be reopened to hear the voice of the Okinawan people. I suggest that the Senate Foreign Relations Committee invite someone who clearly represents a large segment of Okinawan sentiment; Cho Yo Yara; a member of Fukikyo, the Okinawa Reversion Committee; a member of Kenkyo, Okinawa Labor Union Association; or a member of Zenkoku, the Okinawa Base Workers Union. An official of the Okinawa government to who the people can come for aid and whose responsibility it is to denounce the attitude of the United States which is to shirk the responsibility (of reparations to the people) while returning only administrative control (of Okinawa to Japan).

The true aim of the Saot-Nixon talks is not the reorganizing of both the Japanese and American military in Okinawa because there is no way for the people to check. The United States has not only in Vietnam, but also in Asia.

As a result of the peace treaty of 1949, the United States should unconditionally continue the existence of VOA broadcasting station and American Special Forces. The American occupation of Okinawa; the United States is in the spirit of the American occupation of Okinawa. Fukikyo has a large membership of 150 different labor unions, organizations and groups in the Ryukyu Islands which includes over 200,000 people.

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Another reason I propose that the hearings on Okinawa that closed on October 29, 1971 be reopened to hear the voice of the Okinawan people. I suggest that the Senate Foreign Relations Committee invite someone who clearly represents a large segment of Okinawan sentiment; Cho Yo Yara; a member of Fukikyo, the Okinawa Reversion Committee; a member of Kenkyo, Okinawa Labor Union Association; or a member of Zenkoku, the Okinawa Base Workers Union. An official of the Okinawa government to who the people can come for aid and whose responsibility it is to denounce the attitude of the United States which is to shirk the responsibility (of reparations to the people) while returning only administrative control (of Okinawa to Japan).

The true aim of the Saot-Nixon talks is not the reorganizing of both the Japanese and American military in Okinawa because there is no way for the people to check. The United States has not only in Vietnam, but also in Asia.

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by the so-called "reversion of Okinawa." Especially the State LDP government (see Okinawa) as the answer to the new American Asian-strategy, based on the Nixon Doctrine. We also think that the new strategic position of Okinawa (in light of the Nixon Doctrine) is of great importance to both governments if they hope to succeed in their ambitious foreign policy. Perhaps that is why the United States-Japan Mutual Security Treaty (AMSO) annulled when Okinawa Prefecture is returned. We appeal to struggle together in solidarity.

Now all we people should think seriously about what the return of Okinawa in 1972, in accordance with such a background of deception, means to Japan. We affirm that it is a very important struggle toward the establishment of peace and democracy in Japan to have the military bases removed and the United States-Japan Mutual Security Treaty (AMSO) annulled when Okinawa Prefecture is returned. We appeal to struggle together in solidarity.

STATEMENT OF JOSEPH L. VICTOR, COMMANDER-IN-CHIEF VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. Chairman and members of the committee: Permit me to express my deep appreciation and that of the more than 1.7 million members of the Veterans of Foreign Wars of the United States to express our opinions to your committee.

Of all the Congressional Committees of this nation, none is more vital, in our view, than this one. Certainly none can ever be as close to the hearts of our members, men who have fought for our nation in all corners of this world.

It is our sincere belief that recent occurrences at home and abroad have caused fundamental wars which run deep in the American psyche. We find that many in our nation are honestly confused about the direction we are taking; and because of this, many have seriously reexamined a return to isolationism. It is difficult to blame those who are confused for trying to put an end to our world involvement. But more perceptive thinking must prevail.

The Veterans of Foreign Wars of the United States have mentioned in previous testimony before this committee that it is easy to grow tired of responsibility. It is apparent that there is a mounting distance for the burden of international leadership. President Nixon has announced that we are entering into an era of negotiation; but once again, we must state that we can only negotiate effectively from a position of strength. Have we forgotten the lessons that history has taught us? We in the Veterans of Foreign Wars of the United States come inevitably to recognize our obligation to citizens to protect her enemies in peace and in war and strive unceasingly to perpetuate her freedom. The independence and sovereign rights of Japan, Okinawa, and Guam together with our combined experiences abroad, that we offer these comments before, are concerned with the recognition of the return of Okinawa, the future consideration of the possible return of Okinawa and Guam, and vital prior to any consideration at home here. Such matters are involved. It all grinds down to this: Unless the Japanese constitution is changed, the U.S. would be unable to keep her military commitments to the Republic of Korea, the Republic of China, the Philippines, all the countries of Southeast Asia, and to Japan itself under the reversion plans now under consideration. Forty-one of the nations are involved, just the interests of Japan and the United States. After long talks with representatives of some of the countries involved, I find that we did not, repeat—did not, consult these countries concerning this treaty. If this is truly an era of consultation, then we owe it to the countries whose national interests are concerned to consult with them prior to your approach of the treaty. Does it seem fair to remove Article I from the treaty, and out the concurrence of the fourteen seventy-seven signers of the treaty? It has become more and more and more true In recent weeks that Premier Sato and President Nixon have many subjects to discuss.

Therefore, we trust that any changes in the status of Okinawa can be postponed until the issues have been resolved. We are opposing the Treaty, especially true in the Yamanaka negotiations, which is the American government and major foreign powers. We urgently appeal to preserve the treaty with Japan. For the sake of the countries involved, we urge that the return of Okinawa to Japan at the end of World War II, the U.S. had all power of administration, legislation, and peace negotiations. John Foster Dulles declared that Japan retained residual sovereignty over these islands, which Okinawa is the largest. This concept was shared by Presidents Eisenhower, Kennedy, and Johnson; and of them tried to see that such an understanding authority would ultimately revert to Japan. In 1967 when the U.S. and Japanese leaders met, President Johnson agreed that a date should be reached for the return of Okinawa to the islands which would be in a few years. It looks as though the Okinawa power State must collect some of these premises at this time, which is particularly difficult in this government. However, besides the сможете consultations of Japan and the United States, the Asari, Navy, Air Force, and Marines have 116 militaryinstallations plus B-52s outside of Okinawa. Okinawa's strategic value as a major U.S. base, with 116 military installations plus B-52s outside of Okinawa, the Pacific is crisscrossed by airfields, ports, storage facilities and all the extras including highways and power facilities required to support an advanced U.S.
military base. Okinawa was built as the "key" base to defend the Japanese home islands, the Republic of Korea, the Republic of China, the Philippines; and this base has been continuously used as a South Vietnam. It has served as an operational base for B-52s engaged in actual combat in operations in South Vietnam.

We realize that arms limitations talks between the Soviet Union and the United States have commenced in Helsinki. Based on 24 year's negotiating experience, we should not presume to attempt to verify it. We can and should continue to hope for progress, but it would be utterly foolish to make a decision on Okinawa based on any anticipated reduction of the Soviet military threat to that region.

Until and unless the Soviet Union renounces aggression as a national policy, or until the military threat to that region is significantly reduced, or until and unless Japan's capability to defend herself and the free countries of Asia is significantly increased, it would be foolish to take any actions which might significantly alter the military power balance of that region. Japanese defense leaders realize the potential danger of reducing U.S. forces in either Japan or Okinawa, and have publicly stated their desire that the U.S. forces remain on Okinawa to provide the primary deterrent to communist aggression.

The Veterans of Foreign Wars does not believe it is in the best security interests of either Japan or the United States to reduce the flexibility of Okinawa as one of freedom's bastions on the Asiatic mainland. From Okinawa, strategic reconnaissance aircraft and bombers can fly to key targets in the Soviet Union. A reduction of forces on Okinawa and have publicly stated their desire that the U.S. forces remain on the islands as a source of Okinawa as a source of reconnaisance aircraft and bombers can fly to key targets in the Soviet Union. A reduction of forces on Okinawa, and have publicly stated their desire that the U.S. forces remain on the islands as a source of reconnaisance aircraft and bombers can fly to key targets in the Soviet Union.

In summation, Mr. Chairman, I will now itemize what could be lost should premature reversion occur:

1. The lost free world strategic defense post in the Western Pacific. Until the Soviet Union returns administrative control of the islands to the north of Japan, it would not be wise for the United States to return control of Okinawa.

2. The right of U.S. policy makers to determine their own strategy without a veto from Moscow.

3. The loss of approximately three billion dollars in U.S. military assets contributed by U.S. taxpayer's money.

4. The ability of the United States to support bilateral and multilateral defense agreements made with friendly governments of Asia, including Japan.

5. Unless Japan should agree to reimbursement, there will be the inevitable loss in the reversion from a dollar economy to a yen economy. The reversion to a yen economy, estimated to be 200 million dollars in dollars and in currency now in circulation. Losses here would further exacerbate the U.S. balance of payment problem and enhance Japan's favorable and growing trade balance with the U.S.

6. Instead of enhancing the diplomatic ties and friendship which have developed over the past 25 years, a reversion could effectively dismantle such a relationship, and the more vocal supporters of reversion are well aware of this.

Mr. Chairman, once again I would like to thank you and the other members of the committee for the opportunity you have given me to present my views as Commander in Chief of the Veterans of Foreign Wars of the United States.

TESTIMONY SUBMITTED TO THE SENATE FOREIGN RELATIONS COMMITTEE ON THE TREATY TO RETURN OKINAWA TO JAPAN, 5 NOVEMBER 1971

Mr. Chairman and members of the Committee: We, the undersigned conserva­tives and environmental organizations, have reviewed the resolution submitted to the Senate by Mr. Hatch. We believe that the resolution would be a step in the right direction.

The resolution referred to above was passed unanimously by the Senate, without a single dissenting vote. An almost identical resolution was passed by the House on 1 November 1971. These resolutions point out that several species of whales are near or approaching extinction; that whales are mammals with large brains and a complex social life and produce fascinating and complex sounds which have inspired serious musical works; that such whales should be protected by appropriate legislation; and that the hunting and killing of whales by the Japanese has been a source of international concern.

We realize that arms limitations talks between the Soviet Union and the United States have commenced in Helsinki. Based on 24 years' negotiating experience, we should not presume to attempt to verify it. We can and should continue to hope for progress, but it would be utterly foolish to make a decision on Okinawa based on any anticipated reduction of the Soviet military threat to that region.

Until and unless the Soviet Union renounces aggression as a national policy, or until the military threat to that region is significantly reduced, or until and unless Japan's capability to defend herself and the free countries of Asia is significantly increased, it would be foolish to take any actions which might significantly alter the military power balance of that region. Japanese defense leaders realize the potential danger of reducing U.S. forces in either Japan or Okinawa, and have publicly stated their desire that the U.S. forces remain on Okinawa to provide the primary deterrent to communist aggression.

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Drowning. Paintings and woodprints from when they are wounded by a harpoon; and the sing is so beautiful and intricate that it has inspired a symphony and been made into a popular record album. There have been many incidents in which a whale has been killed or captured by a harpoon. People have waited for its return for days and weeks at a time. If whales have taken advantage of this protective measure, it is probable that they would not be in the tragic situation they are in today. Such a step would have been consistent with the Endangered Species Conservation Act of 1970, the intent of which is to prevent such conditions before they occur. It should be emphasized that at the present time, only eight species of whales are banned from import into the U.S. The remaining eighty-five varieties may continue to be hunted, killed, and imported, presumably until they too reach the brink of extinction.

The whaling industry is already anticipating the day when there will be no more large whales left to "harvest." They will be replaced by dolphins and porpoises—among the most friendly and intelligent species of whales—which are already being killed in extra-ordinary numbers. Last year the U.S. is estimated to have "taken" some 200,000 dolphins and porpoises, with perhaps an equal number of smaller lesser beached in nets and inadvertently killed by fishermen and American fishermen. According to Professor Kenneth Norris, Director of the Oceanic Institute at the Kukum Ocean Center in Hawaii, these dolphins will not vanish, since they can be used as a substitute for whale meat in dog and cat food.

The real tragedy of this situation is that whales are being killed quite unnecessarily. As Senator Fred Harris pointed out when he introduced his and Representative David Pryor's bill to protect whales and other ocean mammals:

"For the sake of money—primarily the American dollar—these animals are subjected to massive brutality and slaughter. There is no product from any of these creatures which is essential for human survival or welfare. Each has a readily available substitute."

The international organization which has the responsibility for regulating whaling and setting quotas which will not deplete the species is the International Whaling Commission (IWC). This body, however, has been so dominated by the commercial whalers—those who use brutality and slaughter to produce marine oil and like products, and who are responsible for no more than 10% of the world's whaling—that its decisions are often in the best tradition of the predatory dog. It has turned a blind eye to the destruction of the whale's food source, and the destruction of the whale's food source will eliminate the whale. Each whale is a food source for 15,000 tons of fish. Each ton of fish is a food source for 10,000 tons of krill. Each whale is a food source for 150,000 tons of fish, and each ton of fish is a food source for 150,000 tons of krill. Each whale is a food source for 21,000,000 tons of fish, and each ton of fish is a food source for 21,000,000 tons of krill. Each whale is a food source for 441,000,000 tons of fish, and each ton of fish is a food source for 441,000,000 tons of krill. Each whale is a food source for 9,700,000,000 tons of fish, and each ton of fish is a food source for 9,700,000,000 tons of krill. Each whale is a food source for 194,000,000,000 tons of fish, and each ton of fish is a food source for 194,000,000,000 tons of krill.

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Mr. Chairman, the resolution presently before this committee requesting an international moratorium on whaling, follows over two centuries of unbridled and inexcusable carnage. The 18th and 19th century whalers, driven to the brink of extinction, one after another, the initially enormous populations of northern and southern Right whales, leaving only scattered survivors. By the middle of the last century, the Bowhead or Greenland whale had also been brought close to extinction, while the "Sperm whale" of the Atlantic coast, which is now believed to have been a grey whale population, or perhaps subspecies, has been entirely annihilated.

Whalers, working off season, were responsible for much of the breach wrenched on other marine mammals, such as the Northern and Guadalupe seals, the Sea Otter and the Elephant Seal. They figured prominently in the decimation of Galapagos turtles and Barren Lands caribou; the extermination of the Great Auk, the extermination of several breeds of birds, the introduction of rats to isolated islands, as well as the ruin of isolated natives (such as the Marquesan islands) by the transmission of syphilis. Manhandling whales achieved the extinction in a few short years of the Stellar Sea Cow, a giant relative of the Manatee, which may have numbered up to three tons and once abounded off the Pacific coast. Stellar, in his journal, describes these animals as having shown "signs of a wonderful intelligence ... indeed an uncommon love for one another, but even extended so far that, when one of them was looked, all the others were intent upon saving him."

During the late 19th century, whales equipped with lethal cannon harpoons called "Grierson lances" called the California Gray whale to the very verge of extinction. The favorite tactic was to harpoon the infant whales and tow them to the shore stations. The parents of a wounded infant would follow, vainly attempting to aid it, and the whole family could then be killed at a convenient location. Similar methods were employed against the bashed whale. Another tactic was to harpoon each animal as it came to the surface, then by pelagic whaling, the harpoon, or "Fast". Their numbers have been cut at least in half.

Early in the 20th century the whalers turned their attention to the Rorquals, promptly "too fast and too strong" from want of being taken and "wrong" from want of being killed. Three species are still taken: the Humpback, the Finback whale and the Bowhead, formerly thought as the "wrong" from the whaling and "right" from the biological. There is nothing to these statements, but the decision has been made.

As can be seen in this table, which contrasts estimated populations during the period 1600-40 with those presently in existence, two very common species, Blue and Humpbacked whales, have been pushed close to extinction; Finback numbers have been cut to, at most, 25 percent of the populations of 30-40 years ago; Sperm whales have been reduced to little better than 49 percent and Bel whale numbers have been reduced to 10 percent at least in half. Only the California Grey whale, which has not been periodically exterminated, the year in or near Mexican and U.S. territories, has increased in number.

Since a hiatus in whaling occurred during World War II, this appalling depletion in the stocks of whales occurred entirely under the aegis of the International Whaling Commission. The past two decades have been by far the most sanguinary in all the slaughter witnessed history of commercial whaling. During the lat 1800's and early 1900's, even as population numbers, industriously plummeted, new records were set for the killing of whales. In 1902 the worldwide kill reached 67,000, far above the maximum kill of 16,000 since the last whaling.

Twenty-three years after the advent of its "conservation management", the IWC stands exposed as a tragic farce, discredit and impotent. The whole stocks it proposed to conserve have been reduced, for the most part, to little more. The bulk of the original subscribers to the convention have been forced to cease whaling because of a dearth of victims, while the remaining pelagic whalers, notably Japan and Russia, are proceeding impudently toward bringing to "commercial extinction" all appreciable whale stocks which do remain. Pirate fleets, using cheaply acquired surplus whaling equipment, are now proliferating, entirely out of control, and promise to finally doom several hard-pressed species nominally "conserved", the protection of the Commission, to clean up what few whales may survive the juggernaut of the major pelagic fleets.

The Commission's budget for the year ending May 31, which is the total amount spent on "governing" the "management and conservation" of whales, was increases to $17,400,000.

The domination of the Commission by the commercial whalers has been, in the past, overt and undisguised. Until 1966, the Japanese commission was automatically the present chairman of the Japan Whalers Association. The delegations to the recent meeting in Washington were literally supplied with presidents and officials of various whaling companies throughout the world. The Com-

The major argument to the effect that the adoption of the resolution presently under consideration might jeopardize the future of the Commission runs immediately
there can be no doubt; and thus the demise of whaling, the Commission is already, to say the least, "jeopardizing" its own future.

There is no reason to believe, given a continuation of the previous U.S. official attitude, that this can or will be otherwise in the future. The impotence of the non-whaling nations was demonstrated—if it requires demonstration beyond the ravaged condition of the whale stocks—when Japan, Russia, and Norway ignored U.S. assertions that 1963 Blue Whale Units represented the maximum possible sustainable yield for the Antarctic, and set quotas for 2,390 Blue Whale Units. The Russian delegation insisted, in fact, on 2,700 BWC, and has yet to provide any concrete assurances that it intends to abide by the 2,390 figure.

The International Whaling Commission has long been anathema to conservationists throughout the world. Evidence of the total discredit of the Commission in this nation today, resides in the present joint resolution, unanimously passed by the U.S. Senate. Public opinion is consistently expressed by numerous editorials in major newspapers, with the prevailing consensus perhaps most cogently stated through an editorial in the New York Times on July 6, which observed the recent actions of the Commission "acting like a group of madmen, pouring a slightly less kerosene." This editorial continues, "there is a rationale behind this grotesque effort. It is to be found in the greed and ruthlessness of the Japanese and Russian whaling interests who between them now catch more than five-fifths of all whales. Financially, it makes more sense for them to use their whale fleets to full capacity until all whale have been exterminated, and then scratch the equipment than it does to cut back whaling to the small operation which nature can sustain. Whale products are used largely for catfood and cosmetics."

"By its callous performance, the Whaling Commission stands self-exposed as a cartel dominated by its two largest members rather than a responsible international agency for the regulation of all whaling natural resources. The other member nations which have reduced their whaling or--like the United States--have ceased altogether now face a serious decision. They cannot much longer continue to acquiesce in the Japanese and Japanese practices whose extermination policy to its logical end."

The International Whaling Commission has failed utterly. No pseudo-scientific analysis can obscure the simple fact that the great whales are being exterminated from the world's oceans; that an entire order of mammal species has been knowingly destroyed; that a previously enormous marine resource has been largely—perhaps irredeemably—destroyed.

The 1961 Whaling Convention was founded upon and entirely inadequate concepts. Thus, the initial concern of the subcommittee was, in fact, to build the whaling industry, shattered by World War II. No provisions were made for meaningful inspections to determine the status of the whales. No apparatus was provided for meaningful scientific study. The Convention permits a member government to go its own way, or ignores, to its own internal or international cost, and leaves the matter of control of its nationals solely to such a government.

The Whaling Convention predicated the understanding—now forcibly borne up—that the international whaling industry is not merely economic, but is a destructive force upon the animal kingdom. The Convention contains no application of scientific knowledge to any industry orientation, does not own the whales. These magnificent wild animals were denied the wisdom that is theirs by birth, any other form of life that exists or ever has existed on this planet. Now the whales are ours, and it is our responsibility to care for them.

A Commission, founded on this inadequate and obsolete Convention could not be expected to now avert the disaster in which it has herself created such a key role.

No action short of an international moratorium can now be expected to save the great whales. Such a moratorium, if achieved and enforced, would not only assuage the survival of most species, and permit a slow rebuilding of the populations, but will provide a period for rational study and reassessment, and perhaps the forging of a new and adequate international agreement for the use of marine resources.

SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION

STATEMENT IN FAVOR OF H.R. 706 AND H.R. 1757 BY CHRISTINE STEVENS, SECRETARY

There are many reasons for seeking a total ban on the killing of all species of whales for the next ten years. They range from the purely and coldly practical, to positions of more emotional to the best kind of intelligent idealism. It is the scientific understanding. I believe the distinguished members of this Committee will wish to take all of these reasons into account. Each is compelling in its own right.

To begin with basic practicality: the whaling industry is moving rapidly to the point of wanton suicide. The man who killed the goose that laid the golden egg. Indeed, it is not possible to even equate each species of whale with one of those magical geese, the whaling industry has already killed a number of them, making them commercially extinct through the same kind of emotional greed that caused Aesop's fabulous goose owner to become a household word. If we are to save their species, we shall have to build the whaling commission, and not be content with adding a little more to its present utter futility.

At the lowest level, the whales could supply large amounts of protein, should we wish to take all of these reasons into account. Each is compelling in its own right.

If we were only concerned, still from the practical standpoint, that a few whaling companies or government whalers were foolishly squandering the source of their profits, it would not be proper to take this Subcommittee's valuable time to consider the matter. However, the few short-sighted industry representatives who have, unfortunately, dominated the International Whaling Commission to such an extent that even our own State Department seems to have lost the golden goose to supply meat for mink farms, that form of insurance against our increasing food shortages. And the whales have, unfortunately, been forever destroyed bylaunching a species into the air, which they are spotted from the air, chased by powerful and speedy catchers, terrorized with specially developed whale scaring sounds, ripped apart by explosive harpoons and ganged down with startling speed into commercial products. Any country which seriously departs upon whaling cannot fail to welcome a moratorium observed by all countries, for such a moratorium is like money in the bank.

Whereas the scientific evidence of the past history of whaling and of the organization which is supposed to control it, shows clearly that there will be continued destruction of the whale populations till all the money in the bank, the all golden eggs, are gone forever.

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fellow mammals, about life in the sea. The United States Navy is well aware of this, as they learn how to work with dolphins, those marvelously cooperative creatures who actually seem to enjoy the challenge of their own intelligence. The Washington Star summed up with an editorial March 29, 1987 as follows:

"The dolphins are at it again. They are raising their Tale of weeks ago a Florida couple adrift offshore in a crippled boat found themselves surrounded by sharks and heavy weather approaching. Suddenly, like a sea cavalry, a pod of dolphins appeared, tore into the sharks and chased them away. The dolphins then escorted the boat back to shore, going away from time to time, only to reappear faithfully whenever a shark's fin hit the water. "Wait, there's not all. The Navy has been training the friendly fish—mammals, actually—to recover torpedoes, mines, aircraft and submarines lost at sea. Using their built-in sonar, the dolphins find the wrecks, mark them and release buoys for their recovery. Although completely free in the open sea, at the completion of their task they swim back to the mother ship."

"Experiments continue in talking to dolphins. Apparently they can repeat human phrases, only faster, a speech equivalent of speedreading. Their own communication by beeps is in the process of decoding by humans. Moreover, the dolphins have provided the most human regular shows on television for several years."

"It may be, as the old legend of the sea has it, that dolphins are inhabited by souls of drowned sailors from Phlebas the Phoenician. Perhaps if we have been begun his whole terrestrial progress in alliance with the horse and the dog. If we could ever explore, colonize, farm and inhabit the seas, we could have no better ally."

"It may even be, considering their friendship and helpfulness, that we could learn something from the dolphin."

"The Journal of the American Veterinary Medical Association, October 1, 1966, noted: "Major objectives in the Navy's research, Dr. Wood explained, are to determine and measure the capabilities of these animals to aid man in the ocean environment in which man is ill-equipped to operate. In their study of one of varying usable adaptations which porpoises have evolved to their aquatic environment—such as extensive and thorough exploration of the area. They have reported that Doris can distinguish copper plate from aluminum plate by echo ranging alone. This permits the use of a machine that can locate a soft rubber suction cup over her eyes, then swim to the opposite side of her tank to push one of two paddles. These are made of the different materials, and Doris selects the one she has been trained to push."

"There are not only the dolphins or porpoise to whom most attention has been given. A report in The Philadelphia Inquirer, January 2, 1970, headed "Porpoise Solves Puzzles in Psychological Tests," Divers' Memories, veteran Navy scientists trained Tuffy to dive on command, stay at depth until summoned to the surface; hold his breath until ordered to exhale and finally to exhale and extend an inverted fin above the surface. Training was designed to see if the exhale could be "trapped and maneuvered." No wonder the Russian have offered to trade the dolphin, "Man's marine brother," and foreign animals to Russian scientists."

"In the United States, one state has made it unlawful to catch, attempt to catch, molest, injure, kill, annoy or otherwise interfere with the normal life and behavior of porpoises. This was passed in Florida in 1967. It does permit capture and maintenance in captivity when the director of the department of wildlife and conservation is assured that the animals will be properly treated and the species is not adversely affected by the existence of the captive population."

"How appalling, then, to learn that last year an estimated 260,000 dolphins and porpoises were killed by the Japanese whaling industry! Nor can we be completely certain of this score, for the numbers may be killing almost any time that seems possible. Only then can the figures range for a number of years in reducing the number of examples. The whales have been killed as a single object in view: cash on the barrelhead."

"It has sometimes been argued that those who would protect whales are emotional and that their emotion discredits their efforts. Emotions of sympathy and horror surely do enter into the motivation of all who plead with distinguished government officials to take favoring action on a resolution this year in favor of a ten-year international moratorium on the killing of all species of whales. However, such a resolution is inspired by emotions which our daily newspapers show to be far more powerful than any which help conservationsist to pursue their goals. The daily total of those who would protect whales is growing, and animal lovers and livelihood in jeopardy for fraud, vastly enhanced by the species of whales that take even a modest risk in behalf of a friend or relative, to say nothing of other human beings or animals. If emotion is to be discounted according to its force, then the place to discount it is among those who pursue the whales so relentlessly, immune to rational presentation of data which proves

that they are constantly and consistently killing more whales than the maximum sustainable yield will allow.

When I first became interested in trying to help whales in 1968, the effort was to substitute a quick killing electric harpoon for the hideous torture of the explosive harpoon. At that time there still seemed to be a hope that the quota system could protect whale populations to the extent that they would not become ecologically extinct. If a painless method of killing could be adopted humanitarians would have been satisfied. But in the intervening period it has become crystal clear that (1) whalers will not change to humane methods under the present system of whale management, (2) the quota system is a failure, and (3) whales are even more remarkable creatures than we could have imagined.

The only way to help whales now is to declare a moratorium on their killing. During the moratorium these magnificent animals should be studied, not merely to determine how many might be killed without wiping out the different species, but, most importantly, in order for us to learn from them as well as about them. A period of open-minded naturalistic scientific study of the whales should be undertaken. It need not be impractical research. On the contrary, the Navy's work in this area, emphasizing as it has the careful study of individuals, each one treated more like a human volunteer for an experiment than like an expendable tool, is a model in the attitude toward research with Cetacea which should be vastly expanded.

You have heard the recording of the Songs of the Humpback Whale. Although you have not heard the New York Philharmonic's rendition of Alan Hovhaness' composition which features these whale voices with a full human symphony orchestra, I am sure you cannot fail to recognize that extraordinary beings brought forth this music. Stranger of all, whales have no vocal cords. It is said that if they did and could scream while undergoing the inexpressible torment of the explosive harpoon, not even the most hardened whaler would be able to continue to kill them. Having heard their songs, I believe you can imagine what their screams would be and that you will act favorably on H.J. Res. 706 or H. Con. Res. 315 instructing the Secretary of State to call for a moratorium on their killing.