

Congress of the United States
Washington, DC 20515

March 13, 2019

Secretary Mike Pompeo
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Secretary Wilbur Ross
U.S. Department of Commerce
1401 Constitution Ave. NW
Washington, DC 20230

Acting Secretary David Bernhardt
U.S. Department of Interior
1849 C Street NW
Washington, DC 20240

Ambassador Robert E. Lighthizer
U.S Trade Representative
600 17th Street NW
Washington, DC 20006

Dear Sirs:

We write to express our alarm and deep concern regarding Japan's recent announcement of its intention to withdrawal from the International Convention for the Regulation of Whaling (ICRW) and the International Whaling Commission (IWC) in order to resume commercial whaling within its Exclusive Economic Zone (EEZ).¹ While Japan ending its illegal, 'scientific' whaling program on the high seas near Antarctica and in international waters of the North Pacific is a positive step for whales in those waters, we cannot support Japan's plans to engage in new, unregulated coastal commercial whaling of vulnerable minke whales.

Since the signing of the ICRW in Washington, DC in 1946, the U.S. has had a proud history of Presidents from both parties leading the way in promoting whale conservation and the international management of whale stocks through the IWC. Most notably, in 1981, President Ronald Reagan personally intervened in support of the US-led proposal to ban commercial whaling by stating:

"I want to take this opportunity to affirm the United States Government's continuing commitment to whale protection and to urge you to support our proposal for an indefinite moratorium on commercial whaling.

Throughout human history, whales have evoked awe and wonder. They are the largest creatures ever to have lived on this earth; yet they are also among the most mysterious. It is this mysterious quality that gives whales their appeal and increases the importance of effective management that could assure whale populations for the future.

The United States has long supported scientific research and efforts to strengthen management procedures used by the International Whaling Commission. We believe that further revisions to management procedures are essential to reflect the inadequate information on whale biology, behavior, population dynamics, and, most importantly, abundance. Even such revisions, however, will probably not secure the necessary protection. Our cooperative efforts in the past to regulate whaling have been tragically unsuccessful

¹ "Statement on Government of Japan withdrawal from the IWC," January, 14, 2019, <https://iwc.int/statement-on-government-of-japan-withdrawal-from-t>

Congress of the United States

Washington, DC 20515

and species after species has been successfully over-exploited and reduced to protected status. Indeed, the International Whaling Commission prohibits all commercial whaling on the majority of whale stocks because of their reduced abundance. We have no basis to believe that commercial whaling will not continue to reduce whale stocks.

It is time to recognize the errors of the past. Available information is inadequate to protect the whales while commercial whaling continues, and it is for this reason as well as others that the United States has proposed an indefinite moratorium on commercial whaling. I urge you to join with us and other people throughout the world to secure the protection of these magnificent creatures and wish you success in your important work.”²

In large part thanks to the leadership of President Reagan, the IWC banned commercial whaling in 1986. U.S. leadership in international whale conservation efforts is once again urgently needed, and we ask your respective agencies to take the following actions:

- Use diplomatic pressure to encourage Japan not to withdraw from the ICRW and ensure that Japan does not engage in any type of commercial whaling, including in the North Pacific, Antarctica, or within its EEZ.
- The recently announced bilateral trade discussions between the United States and Japan provide an opportune time for the U.S. to use these discussions as leverage to require an anti-whaling provision within any trade agreement between the two countries.
- If diplomatic pressure or trade negotiation tactics fail and Japan officially withdraws from the IWC in June, we urge the administration to certify Japan under the Pelly Amendment.³ Under the Pelly Amendment, if the Secretary of Commerce or the Secretary of the Interior, in consultation with the Secretary of State, finds that nationals of a foreign country, directly or indirectly, are engaging in trade or taking which diminishes the effectiveness of any international program for endangered or threatened species, the Secretary making such finding shall certify such fact to the President. The President is then authorized to prohibit the importation of certain products from the offending country for any duration as the President determines appropriate.

In addition, we ask your respective agencies to respond to the following questions:

- Has the administration responded to Japan regarding the announcement of withdrawal from the International Convention for the Regulation of Whaling? If so, what is the administration’s position? How has it been conveyed to Japan? If the administration has not responded, does the administration plan to respond?
- What are your respective agencies’ assessments of the impact of Japan’s decision(s), on the IWC, whale stocks—including vulnerable coastal populations such as the J-stock minke, and on prospects for international governance, management and marine conservation efforts?
- What is the administration’s understanding and position on Japan’s declaration that it plans to undertake commercial whaling in coastal waters within its EEZ outside the authority and oversight of the IWC and its scientific committee?

² President Ronald Reagan, Message to the International Whaling Commission, July 17, 1981, “Collection: Public Papers of the Presidents.”


³ (Section 8 of the Fishermen’s Protective Act 22 U.S.C. 1978)


Congress of the United States
Washington, DC 20515

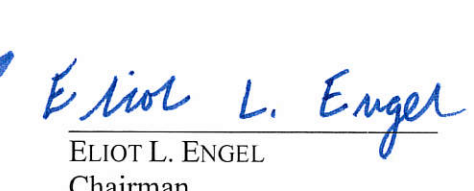
- What steps is the administration taking to ensure Japan's decisions do not trigger an exodus from the ICRW or undermine its ability of the IWC to continue its important management and conservation work?


Thank you in advance for your response to these requests.


Sincerely,


RAÚL M. GRIJALVA
Chairman
Committee on Natural Resources


RICHARD E. NEAL
Chairman
Committee on Ways and Means


ELIOT L. ENGEL
Chairman
Committee on Foreign Affairs

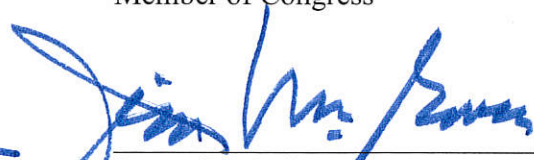

JARED HUFFMAN
Chairman
Subcommittee on Water, Oceans,
and Wildlife


EARL BLUMENAUER
Chairman
Subcommittee on Trade

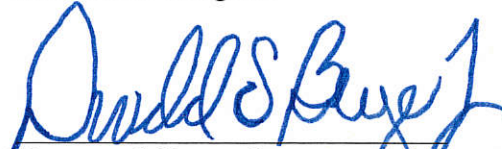

ALAN LOWENTHAL
Member of Congress


VICENTE GONZALEZ
Member of Congress

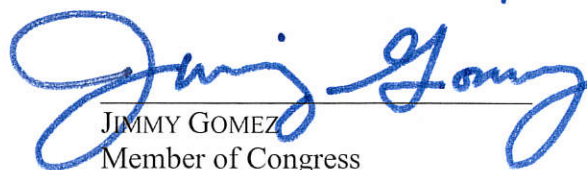

DANIEL T. KILDEE
Member of Congress


JAMES P. MCGOVERN
Member of Congress


SEAN CASTEN
Member of Congress


DONALD S. BEYER JR.
Member of Congress


DEB HAALAND
Member of Congress


JIMMY GOMEZ
Member of Congress

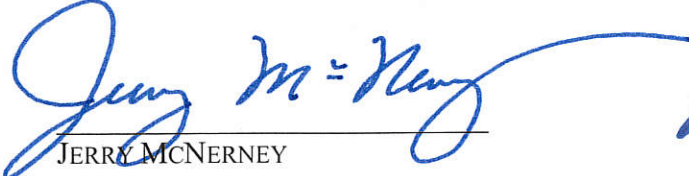
Congress of the United States
Washington, DC 20515



STEVE COHEN
Member of Congress



PETER DEFAZIO
Member of Congress



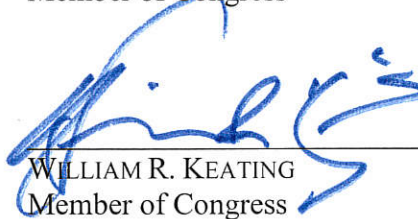
JERRY MCNERNEY
Member of Congress



LINDA T. SÁNCHEZ
Member of Congress



SUZAN DELBENE
Member of Congress



WILLIAM R. KEATING
Member of Congress



BILL PASCRELL, JR.
Member of Congress



GREGORIO KILILI CAMACHO SABLÁN
Member of Congress



ED CASE
Member of Congress



BRIAN HIGGINS
Member of Congress