

ADDRESS BY THE HONORABLE E. L. BARTLETT
TO THE
JOINT SESSION OF THE THIRD STATE LEGISLATURE

Mr. President of the Senate, Mr. Speaker of the House,
Members of the Third Alaska State Legislature:

I appreciate, and deeply, the honor you have conferred upon me by inviting me to appear before you today.

However, if you had given me freedom of choice as to subject, it most positively would have been another than that which has been assigned.

For it has been suggested that I discuss with you my views about recent actions of the International North Pacific Fisheries Commission with especial reference to halibut fishing in the eastern Bering Sea.

This is my second consecutive appearance before you concerning fishery matters. On neither occasion have I found it possible in good conscience to endorse the so-called popular position. For a politician such as myself this comes under the heading of sheer calamity. Calamity or no, I have a duty to transmit my views to you.

It is a duty for many reasons. One is that I have had a deep interest in the Alaska fishery all during my service in Congress, and before; another is that I am a member of the Merchant Marine and Fisheries Subcommittee of the Senate Commerce Committee, and thus have a particular legislative involvement; and still another is that because of necessity as well as interest, I have followed closely the work of the International North Pacific Fisheries Commission.

What has happened in recent months to raise such a storm? Let us review events with such brevity as possible.

At its meeting in November in Seattle, the Commission recommended that Japanese no longer be required to abstain from taking halibut in the eastern Bering Sea under the terms of the Convention approved for the United States on July 30, 1953, by President Eisenhower and Secretary of State Dulles.

This recommendation brought on a storm in certain American and Canadian circles no less violent than a storm in the turbulent Bering Sea itself. It was and is said the American and Canadian Commissioners "sold out" their fellow countrymen. It was said they moved unnecessarily, or at the very least too hurriedly, to accommodate Japanese demands. Many other things were said--and few of them were complimentary.

Here I should put myself on the record.

Until my arrival in Juneau day before yesterday I had never recorded a personal judgment as to whether I believed the Commission acted wisely or otherwise.

In a press conference shortly after my arrival in Juneau I stated I did not believe the Commission could have reached a different decision. I came to that conclusion after weeks of study.

Much is at stake. We must look at the whole, not concentrate on the particular. This is important. This is essential. At stake is the treaty itself. In many ways it has been damaging to us. We all know this. We know great numbers of salmon spawned in Bristol Bay rivers are taken by the Japanese west of 175 W. longitude. But we also know--or if we don't we should--that in many ways the treaty has furnished for American fishermen and particularly Alaska fishermen a broad tent of protection. What will be in store for us if the treaty is no longer in force? If there is no treaty, Japan can fish in any manner it chooses for any species of fish up to our territorial waters.

That is really what is at issue. It is the treaty itself.

Did the Commission have freedom of choice as to decision and timing at Seattle? I think not. For Article III (a) of the Convention requires the Commission to study "for the purpose of determining annually whether such stock continues to qualify for abstention under the provisions of Article IV. If the Commission determines that such stock no longer meets the conditions of Article IV, the Commission shall recommend that it be removed from the Annex."

The language above quoted is explicit. It leaves no room for doubt. The Japanese had been pressing for removal of eastern Bering Sea halibut from the abstention list. On our side, it was not possible to prove American and Canadian fishermen were fully utilizing the stock of fish. Scientists could only guess. They did not know--and here knowledge, not guesswork, is required.

Why don't we know more about halibut resources in the eastern Bering Sea? Well, a leading reason is that until quite recently this fishery has been of practically no consequence or concern to either Canadian or American fishermen.

As recently as 1956 the combined catch there was only a quarter of a million pounds. The next year it dropped to 47,000 pounds. By 1961 the catch had risen to 3,940,000 pounds and last year shot up to 7,289,000 pounds.

What does all this mean?

For one thing, it means that Americans and Canadians would rather fish south of the Aleutians. The reasons are understandable.

It means that in recent years the Halibut Commission has so arranged seasons as to practically force fishermen into Bering Sea where they would not otherwise have gone.

And the catch record to me suggests that we of the U. S. and Canada do not have a historic halibut fishery in the eastern Bering Sea in the accepted meaning of the term; at the very least our exploitation of the fishery has been on the minimal side.

I have inquired of every knowledgeable person I have encountered.

And I cannot find that a single solitary Alaska halibut boat has been fishing in the eastern Bering Sea. It is said if any Alaskans are engaged in the fishery it is only as they have shipped out of Seattle.

So for us the eastern Bering Sea halibut fishery has not and does not have direct economic impact insofar as it affects our fishermen.

Even with the greatly increased catch there of 1962, the eastern Bering Sea accounts for only about 10 per cent of the combined American-Canadian halibut catch.

I ask you to recall that in the western Bering Sea the Japanese fish as they please for halibut. And the Russians, bound by no treaty obligations, are under no restrictions.

Following the November meeting, the Commission arranged to meet in Tokyo this month to negotiate conservation measures. I have just returned from there, having gone over at the request of Chairman Magnuson of the Senate Commerce Committee.

When I left the outlook was bleak. There was no surety that any agreement would be reached. The Japanese wanted more than we could or would give them. Our negotiators thought the Japanese proposals were not adequate to insure a fishery that would endure. They were not ready to take less. I want to emphasize that--our American Commissioners did not sit at Tokyo meekly acquiescing to every Japanese demand. The very contrary is the case. To me as an observer it seemed ever so clear that our people were tough, resolute and determined. By now the Tokyo meeting may have ended. It may have ended in agreement. It may have ended stalemate. I most fervently hope the former is the case.

However it turns out, our record is clear, and, I believe good. We have honored our treaty obligations. The Japanese cannot charge us with having done less.

I remind you that we regard the principle of abstention as absolutely essential to preserve the North Pacific fishery. Just as emphatically, the Japanese now reject it. I was told so and in strong terms no later than last week by a Japanese cabinet officer with whom I had a long meeting. But the Japanese did not always feel this way. At the close of the first session of the Commission, the head of the Japanese delegation made this voluntary statement:

"The draft of the International Convention concerning high seas fisheries of the North Pacific Ocean was agreed upon at the Tripartite Fisheries Convention held in Tokyo in late 1951 as a result of forty days of painstaking labor and was signed together with the regulation and request of the conference under the candlelight of the Foreign Ministry in Tokyo on November 14, 1951. We are extremely happy that in this document were clearly laid down the principles which provide a sound basis for the orderly development and exploitation of the high seas fisheries of the North Pacific Ocean, and we are confident that these principles will also be a guiding spirit of the conduct of fisheries in other areas of the high seas."

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Juneau, Alaska

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Eighteenth Day

Pursuant to adjournment the House was called to order by Speaker Bruce Kendall at 10:02 A. M.

Roll call showed all members present except Mr. E. Reid who had been excused.

Prayer was offered by the Reverend L. H. Steinhoff.

The Chief Clerk certified as to the correctness of the journal for the seventeenth day and it was accepted without objection.

MESSAGES FROM THE GOVERNOR

A letter from the Governor, dated February 13, transmitting a copy of the report of the Commissioner of Commerce covering the preliminary study of alleged banking and securities violations, was read.

Mr. Binkley announced that he had received seven letters from the Governor which transmit and explain various bills sent from the Governor to the Rules Committee and introduced to the House.

Mr. Boardman moved and asked unanimous consent that all the letters, including the preliminary study be spread upon the journal in a supplement to today's journal. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

A message was read from the Senate dated February 13, 1963, transmitting the enrolled copies of SENATE JOINT RESOLUTION NO. 1 and SENATE CONCURRENT RESOLUTION NO. 1 for the signatures of the Speaker and Chief Clerk. They were signed and ordered returned to the Senate.

SJR
#1
SCR
#1

A message was read from the Senate dated February 13, 1963, stating the Senate has passed SENATE BILL NO. 30 and SENATE JOINT RESOLUTION NO. 4, and transmitted herewith for consideration.

SB
#30
SJR
#4

FIRST READING OF SENATE BILLS AND RESOLUTIONS

SENATE BILL NO. 30 by the Rules Committee by request of the Legislative Council, entitled:

Those are eloquent words, based on logic.

I only wish our Japanese friends would now reread them, and endorse them. They were correct then, and are correct now.

Of course, what the American and Canadian sections did at Seattle was to honor our treaty obligations. It would have been right for them to do so in any event; for selfish reasons it was imperative. Soon the time will come to renegotiate the treaty itself. Very much indeed is at stake at that time. The interests of Alaska fishermen are much more directly concerned than they are in Bering Sea, for salmon will properly come to the fore then.

Perhaps the Japanese will withdraw from the treaty. They have that right. I dread that prospect--for their sake as well as ours.

We must do the best we can, in duty and in honor.

I would conclude by quoting the last two paragraphs of an editorial which appeared in the December 1962 issue of Pacific Fisherman entitled "Bering Sea Halibut Action":

"It must be expected that soon the parties to the North Pacific Treaty will be discussing its future. Surely the United States and Canada as result of their withdrawal of Bering Sea halibut and Queen Charlotte Islands herring are in a better position to negotiate than would be the case if they had been less honest and temporized. Their action would seem to provide sound evidence of the value and validity of the principle of earned credit in fisheries conservation.

"If their sacrifices prove of no avail, the United States at least may have recourse to a principle already established in federal law: that the privileges of the American market for seafoods be reserved to those nations whose fishing operations conform to accepted principles of conservation in the interest of maintaining the resources of the sea, fully used but unimpaired, for the benefit of Mankind."

The Japanese should remember this. Our market is very considerable. I thank you for the privilege of appearing before you.

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