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our country. This past May, both a Congressional Resolution and a Presidential Proclamation called for the observance of a National Moment of Remembrance. It is my hope that the establishment of the National Moment of Remembrance in law, along with the creation of the White House Commission, will promote greater understanding of the meaning of the Memorial Day holiday for all Americans.

In signing this Act, I note that the Appointments Clause of the Constitution requires that all Federal officers exercising executive authority be appointed in conformity with that Clause. Because the Secretary of the Smithsonian Institution—who would be a member of the Commission—is not so appointed, he may not exercise significant governmental authority on the Commission but may directly participate in the ceremonial or advisory functions of the Commission. Moreover, because the members of the Remembrance Alliance are not appointed in conformity with the Appointments Clause, they must remain under the supervision of the Commission, and I interpret the Act to establish such a relationship between the two bodies.

WILLIAM J. CLINTON

The White House,
December 28, 2000.

NOTE: S. 3181, approved December 28, was assigned Public Law No. 106–579. This statement was released by the Office of the Press Secretary on December 29.

Letter to Congressional Leaders on Japanese Whaling Practices
December 29, 2000

Dear Mr. Speaker: (Dear Mr. President:)

On September 13, 2000, the Secretary of Commerce certified that Japan had authorized its nationals to conduct research whaling activities that diminish the effectiveness of the International Whaling Convention (IWC) conservation program. This message constitutes my report to the Congress pursuant to section 8 of the Fishermen's Protective Act of 1967, 22 U.S.C. 1978 (the Pelly Amendment).

Secretary Mineta's certification was the third against Japan for scientific research whaling. The first was in 1988, when Japan initiated its Antarctic program that now entails an annual take of 440 minke whales. The second was in 1995, after Japan extended its program to the North Pacific, where it has been taking 100 minke whales per year. This year, despite a specific resolution passed by the majority of IWC parties calling on Japan to refrain from conducting lethal research in the North Pacific, Japan expanded its program in the North Pacific to permit the take of 10 sperm whales and 50 Bryde's whales. The total harvest in this summer's hunt was 40 minke whales, 5 sperm whales, and 43 Bryde's whales. I remain very concerned about Japan's decision to expand its research whaling to two additional species.

I also remain concerned about Japan's practice of taking whales in the Southern Ocean Whale Sanctuary north of Antarctica. This is an internationally recognized sanctuary that was approved by the IWC. I see no justification for Japan's practice and will continue to urge Japan to reconsider its policy, which I believe undermines the effectiveness of whale sanctuaries everywhere. I note in addition that Japan's practice is clearly out of step with the growing international consensus in support of whale sanctuaries, and in sharp contrast to the strong leadership that Mexico and Brazil have both shown in the last 3 months in designating areas off their coasts as whale sanctuaries.

Along with many other members of the IWC, the United States believes the Japanese research whaling program has dubious scientific validity. Information relevant to management of whale stocks can be collected by nonlethal techniques. Products of the research harvest are sold in Japanese markets, which raises questions about the true motivation for the program. In addition, Japan has conducted the same set of scientific research experiments on significant numbers of minke whales for more than 10 years.

I want to underscore that concerns about Japan's lethal scientific whaling program are not simply a bilateral matter. A substantial majority

of IWC members share our concern and want Japan to curtail its program.

My Administration has already taken a wide range of economic and diplomatic measures in response to Japan's expanded program. On September 13, I directed the Secretary of State to make Japan ineligible to conduct fishing operations within the United States exclusive economic zone. I, members of my Cabinet, and other United States officials, have raised our strong concerns at the highest levels of the Japanese Government and will continue to do so. I have personally intervened with Prime Minister Mori. We also joined 14 other governments in making a high-level demarche to the Japanese Government to protest its decision to issue the permits. In September, we canceled a bilateral fisheries meeting that we have been holding annually for more than a decade. We also declined to participate in a ministerial meeting on environmental issues in August hosted by Japan. We have also actively supported the selection of a country other than Japan to host the next intersessional meeting of the IWC. As a result, the IWC voted 17–10 to hold the meeting in Monaco instead of Tokyo.

The United States has intensified its serious engagement on these issues with Japan. In November, we held bilateral consultations with Japan in Tokyo on scientific research on whales. At that meeting, we appreciated receiving the news that Japan is preparing to conduct two nonlethal scientific whale programs in the next 12 months. This is a very encouraging sign. We expect our bilateral meeting will lead to an IWC Scientific Committee workshop on methods for whale research. I view this meeting as a positive but limited step. Our goal remains that Japan substitute nonlethal techniques for its program. We will vigorously pursue this objective in conjunction with our partners in the IWC.

We are concerned that the presence of these additional species of whales in the Japanese market could increase the risk of derivatives of whale products entering international commerce. To this end, we have raised these matters within the Convention on International Trade in Endangered Species, and an interagency team continues to consider additional measures to enforce international and national prohibitions on trade in whale products. If warranted, the Secretaries of Commerce and the Treasury will take appropriate additional measures.

In sum, I remain deeply concerned by Japan's unilateral actions. For this reason, I have directed the Departments of State, Commerce, the Interior, and the Treasury, as well as the Office of the United States Trade Representative, to keep this matter under active review. I will also direct these agencies to further examine the relationship between Japanese companies that both manufacture whaling equipment and export products to the U.S. market. I would consider actions regarding any imports from whaling equipment manufacturers, as well as actions regarding a broader range of imported products, should they be warranted by lack of progress from our bilateral and multilateral efforts; however, I do not believe that import prohibitions would further our objectives at this time. We are committed to a sustained effort in order to bring about positive movement in Japan's whaling policies.

Sincerely,

WILLIAM J. CLINTON

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Albert Gore, Jr., President of the Senate.

The President's Radio Address
December 30, 2000

Good morning. The year 2000 is drawing to a close at a moment of great progress, prosperity, and peace for America. But while we have many reasons to be thankful, good weather is not one of them.

Terrible ice storms in the Southern Plains States have left more than a dozen people dead and thousands without heat and electricity. Two days ago I declared that an emergency exists in Arkansas and Oklahoma so that Federal aid