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May 28, 1976

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XXXXXXXXXXXX

Dear xxx:

Thank you for your recent letter regarding H.R. 12460 which would amend the Marine Mammal Protection Act of 1972 to prohibit the taking of the killer whale except for scientific research purposes.

Although this legislation would preclude the capture of further killer whales for public display, and although I share your concern for the loss of the educational benefit of public access to these wonderful mammals, I am very troubled by the fact that little is known about the habits and needs of these intelligent animals despite intensified research and increased public awareness. Significant disagreements still exist within the scientific community as to the impacts that continued pursuit and capture of killer whales will have on the habits and population of the species.

There is a clear need for more adequate information regarding the existing world population, the effects of removal of individuals from their pods and other relevant information. In the absence of such data, and without a reasonable degree of accord among the specialists knowledgeable about the killer whales, there cannot be full confidence that the basic intent of the Marine Mammal Protection Act of 1972 is being met.

On March 7, 1976 the capture of six killer whales off the Washington coast triggered the Washington State Legislature to petition Congress to act. The governor and attorney general of the state took the issue into federal court and Senator Magnuson filed legislation identical to H.R. 12460 in the Senate. The Senate passed the bill unanimously.

As an individual with an obvious appreciation for the importance, beauty, and intelligence of these large mammals, I am sure that you will be sympathetic with my concern for the well-being and continued existence of the species in the wild. Should scientific study establish that the taking of individual whales for public display does not endanger the species or adversely effect the continued existence of killer whales off the American coast, the capture of killer whales for public display could then be resumed by act of Congress.

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May 28, 1976

Page 2

For the reasons that I hope that I have made clear, I tend to support H.R. 12460. However, since the issue is difficult, I will continue to study the evidence and floor debate and to keep an open mind on the issue. I greatly appreciate your concern on this issue and welcome your views. If I can be of further assistance on this or any other issue, please feel free to contact me.

Sincerely,

PAUL E. TSONGAS
Member of Congress

PET/va