EXCURSUS III

Tomoyoshi Kamenaga on Strained Relations Between the U.S. and Japan

The bonds that tie the U.S. to Japan may be adversely affected by fishing regulations established recently in Washington. On March 1, 1977, the U.S. Fishery Conservation and Management Act, which establishes U.S. dominion over all foreign fishing within two hundred miles of the nation's coast, became law. Under the Act the Secretary of Commerce will levy fees on all foreign vessels permitted to fish within the zone.

From Japan's point of view the U.S. fees and regulations are very high and exacting. Adoption in their present form will deal crippling and, in some cases, fatal blows to major segments of Japan's fishing industry, leading in turn to widespread unemployment. Furthermore, the effects would extend to related industries such as fish processing and distribution and ultimately to the Japanese people, who will have less fish for higher prices. The loss to Japan would be many millions of dollars.

It is difficult for Americans with their vast pasture lands to understand the crucial importance of the sea to the Japanese. On a land mass the size of Montana—only 15 per cent of which is arable—they sustain a population of 110 million. The sea provides a very substantial portion of the food they need, but because of inadequate marine resources near home they must rely on distant fishing areas, such as the North Pacific, for their survival.

Much of the North Pacific fished by the Japanese lies within the soon-to-be-enacted U.S. fishing zone; it is an area in which the Japanese fishing industry has invested much time and money to make it yield its maximum. The ongoing scientific evaluation of North Pacific fishing areas and the conservation efforts of the Japanese have benefited the U.S. fishing industry and American consumers as well as the Japanese. Yet the Japanese are now being asked to pay to continue this work.

Moreover, the Japanese in their continuing search for more protein have cultivated sea food ignored by other nations. Thus, the Alaskan pollack, long considered the "trash of the sea" by Americans, has been developed scientifically by the Japanese into raw material for ground fish products, an important part of the Japanese diet. Although the Alaskan pollack is spurned by most U.S. fishermen, the Secretary of Commerce has not hesitated to attach an artificially high value to it in his proposed fee schedule, thereby enhancing the fee revenues to protein-rich America at the expense of protein-poor nations, among which Japan is included.

The U.S. Fishery Conservation and Management Act says that fees imposed on foreign fishing vessels under the law should be reasonable, equitable, simple to administer, and acceptable to foreign nations as well as the U.S. But the 3.5 per cent allocation fee on the value—determined unilaterally by the U.S.—of the fishing catch aboard each vessel, and the $1 per gross ton access fee for each vessel, meet none of these criteria as far as Japan is concerned.

Consider: Virtually all Japanese fishing vessels have operated at a deficit since 1974 due to soaring fuel costs and the great distances they must travel for their catches. A 3.5 per cent surcharge will have the effect of consuming 70 per cent of their return over costs—even if the vessels should attain a profit of as high as 5 per cent, as estimated in the *Federal Register*. Moreover, we feel that the "ex-vessel" value of fish (that is, the value of caught fish on board ship) that the U.S. is proposing is extraordinarily high. For example, the U.S.-proposed "ex-vessel" value for pollack is $158 per ton. But the "ex-vessel" prices normally paid to Japanese fishing boats for these catches run about $40 to $50 per ton. We are presuming the U.S. may have based its values on processed fish, which are, of course, much higher than the "ex-vessel" value of whole fish.

Japan believes that the unilateral U.S. decision to impose allocation and access fees within its two hundred-mile fishery zone is inconsistent with the spirit and intention of the U.N. Law of the Sea Conference, of which the U.S. is a member. Among the several countries that have announced two hundred-mile fishery zones, the U.S. is the first among the advanced nations to announce that it will impose fees for its recently announced zone. On the other hand, we note that Canada has announced it will not levy any fees in 1977. In this connection we feel that for the U.S., an advanced nation, to take the lead in levying such fees sets an undesirable precedent for world fishing. Therefore, we request that the U.S. give special attention to amending its dual-structure fees and the amount of the fees.

Moreover, we understand that the amount of fish in the 2.2 million square nautical miles covered by the U.S. two hundred-mile zone is so great that the U.S. is expected to catch only 14 per cent of the resource in the Pacific region in 1977. (Director Robert Schoning of the National Marine Fisheries Service stated at the U.S. Senate Commerce Committee hearing on the Fishery Conservation and Management Act held on January 24, 1977, that the total 1977 Pacific Fish catch is estimated to be divided thus: 300,000 tons for the U.S. and 1.5 million tons for foreign vessels. This equals approximately 14 per cent U.S. versus 86 per cent foreign. Therefore, a full 86 per cent of this vast catch can be taken yearly by foreign fishermen without danger of depletion or increased fish prices for Americans.

By acting unilaterally the U.S. has established a dangerous precedent that is not in the best interests of American consumers and which may lead to a chaotic situation in the world fishing industry. American consumers will suffer because other na-

tions will follow the U.S. example and impose fees on U.S. fishermen, thereby forcing them to raise their prices.

Japan is happy to regard its relationship with the U.S. as one of the world's closest in terms of political and economic bonds. Therefore, as a true partner, Japan believes it has the right to ask for America's full understanding on a matter of such vital importance as the cost of fishing rights. Japan is willing to pay allocation and access fees to the U.S. Government—even though it believes such to be contrary to the spirit of the U.N. Law of the Sea Conference. But it asks that they be reasonable and mutually agreed upon and of a kind that insures the economic viability of Japanese fishing.

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EXCURSUS IV

Mark Bruzonsky on The CIA and the Power Peddlers on Capitol Hill

During the Ninety-fourth Congress both Houses passed cautious measures to strengthen regulations on the lobbying of Congress. But the Congress adjourned last year without passing the House-Senate compromise legislation.

This reform effort predates the shocking revelations about South Korean meddling with the Congress—a scandal that may soon re-erupt with a series of unprecedented indictments on Capitol Hill. But corruption of this kind is the exception in our system. More common is the establishment of personal relationships, the provision of slanted information, and "fact-finding" "freebie" junkets. Representatives of special interests cultivate powerful congressional figures and their aides and provide "help" with subtle (and legal) methods of influencing policy.

When it comes to foreign affairs, as authors Russell Warren Howe and Sarah Hays Trott reveal in their recent highly controversial study *The Power Peddlers* (Doubleday), the "Justice Department experts...estimate that over one hundred million dollars...are spent each year by foreign governments and corporations on shaping U.S. foreign policy and influencing policymakers...." Still, this figure does not include monies spent by some of the most important and successful foreign affairs lobbyists in Washington—for instance, Elias Demetracopoulos, a former Greek journalist who operates independently out of Washington's Fairfax Hotel near Embassy Row, and the American Israel Public Affairs Committee (AIPAC), which is a domestic lobby representing Americans supporting a strong bond between Israel and the United States.

Though at times somewhat tedious, the Howe-Trott book is both timely and fascinating. The overall conclusion that, "In the shadowy corridors of power of Washington, the predominant requirement is for the fullest possible disclosure," is widely shared.

Still, there is danger in the antilobbying and antilobbyist attitude consistently expressed by Howe and Trott; a danger that becomes very clear in Robert Sherrill's review of their book. On the basis of his reading of *The Power Peddlers*, and a second book dealing with the history of the "China lobby" (Taiwan, that is, during the 1950's and 1960's), Sherrill writes in the *New York Times Book Review* that it is time "to think more kindly of proposals to outlaw foreign lobbying." This overreaction, which fails to understand how integral a part of our political system lobbying on foreign affairs issues has become and how deeply intertwined is this process with First Amendment freedoms, is precisely what must be guarded against.

Howe and Trott take a far from impartial attitude toward foreign lobbies, and they fail to distinguish sufficiently between real foreign lobbies and those broad-based domestic lobbies whose interests largely coincide with those of a foreign country such as Israel. Nevertheless, the overall conclusion—"Certainly foreign lobbies have never been so impertinently powerful, so arrogant or so blatant; the need to try to scale each lobby's influence down...has never been so urgent as it is today"—is worth considering. And the authors' proposed remedy of the "fullest possible disclosure" through tightly drafted legislation leads in the right direction.

The Power Peddlers, as an effort at investigative journalism, is increasingly being debated in this capital always sensitive to rumor and image. There are charges of factual errors, misleading statements, changed and even fabricated quotations, and, most explosively, CIA involvement.

Senator Charles Percy (R-Ill.), for instance, denies ever calling Morris Amitay, the head of AIPAC, a "little pipsqueak"—in fact, he denies ever meeting Amitay. Steve Bryan, on the staff of the Senate Foreign Relations Committee, denies (in a letter to Doubleday) ever having taken a "freebie" trip. Numerous people have written to Doubleday to deny quotes and in some cases charge that the book is a deliberate "hatchet job," especially in regard to Elias Demetracopoulos. Mr. Demetracopoulos believes the chapters concerning him represent another of a long string of CIA-State Department attempts at defamation. The Senate Intelligence Committee is now engaged in an investigation of this charge of CIA involvement against Demetracopoulos. And the House Subcommittee on Civil and Constitutional Rights may also look into these charges.

According to a letter from Senator McGovern (D-S.D.) to Daniel Inouye (D-Hawaii), "slanderous raw material and disinformation from CIA operatives about Demetracopoulos was given to reporters and