



DEPARTMENT OF THE INTERIOR
INFORMATION SERVICE

*Office
Reiss
10/4/55*

OFFICE OF THE SECRETARY

For Release SEPTEMBER 27, 1955.

SECRETARY MCKAY SETS FORTH FACTS ON BAITING REGULATIONS

Secretary of the Interior Douglas McKay today issued the following statement:

"Representative Reuss of Wisconsin has charged in the press that a report by a Department biologist critical of waterfowl feeding practices in California was 'ignored, unheeded and buried.'"

"This allegation is not supported by the facts which are as follows:

"The Federal law against baiting is in full force and effect in California, as well as the other 47 States, and it will not be liberalized.

"However, a special situation exists in California. As a result of the great expansion of agriculture in that State, most of its natural waterfowl wintering areas have shrunk. California winters most of the waterfowl of the Pacific flyway, but the plain truth is that the State no longer has sufficient natural habitat for them. Since the birds must find food somewhere, they concentrate in the three great valleys of the State--the Sacramento, the San Joaquin and the Imperial.

"This change in the habits of the birds has resulted in heavy damage to California crops. In attempting over the years to meet the demands made by farmers for the protection of their crops from waterfowl depredation, the Service has used such varied methods as fireworks and airplanes to frighten the flocks away from unharvested or growing crops.

"In 1953 the California State Legislature passed an act designed to relieve crop depredation by migratory waterfowl through permitting the feeding of the birds to attract them away from the crop areas.

"Under this act, regulations that specified conditions for the feeding of waterfowl were adopted by the California Fish and Game Commission on September 10, 1953. Since then the Fish and Wildlife Service has kept a close watch on the operation of the California experimental feeding program.

"Director John Farley is determined that the special California situation shall not result in abuses which would lead the way back to a revival of baiting. He has made it clear that nothing in the California regulations shall be construed as a license to violate the Federal Migratory Bird Hunting Regulations pertaining to the placement of feed.

"After the adoption of the State regulations, Mr. Clinton H. Lostetter was assigned to observe their effect upon the movement of ducks and geese, particularly as to whether the regulations created a conflict with the Federal prohibition of baiting. Mr. Lostetter is a Fish and Wildlife biologist stationed in Sacramento, California.

"Reports were prepared by Mr. Lostetter in 1953 and 1954. Far from being 'ignored and buried' these reports were carefully considered by career officials of the Fish and Wildlife Service in Washington and in the field, including biologists of equal or greater experience than Mr. Lostetter.

"The findings were fully discussed, for example, in August 1954 in Washington, D. C., at a meeting of the Regional Waterfowl Advisory Committee representing a cross-section of the Nation's leading waterfowl conservation authorities. The Lostetter reports were only part of the information which the Department had available in following the California situation.

"Copies of the report were not made public or released to congressional committees because they did not represent the views of the Department and for the further reason they were not concurred in by Mr. Lostetter's superiors, including career scientists of the Fish and Wildlife Service.

"It is not unusual for conflicting reports to be received from employees performing duties such as those assigned to Mr. Lostetter. Nor is it unusual for the conclusions in such a report to be rejected by more experienced employees and officials responsible for exercising final judgment in actions to be taken by the Department.

"This was the case with respect to the Lostetter report. When it had been considered by the top officials of the Fish and Wildlife Service, including many of its experienced career scientists, who recognized that feeding cannot be prohibited by Federal action, a decision was made to continue the close check on the California situation with a view to aiding as far as possible in alleviating crop depredation while enforcing rigidly the Federal rules against baiting.

"Later it was ascertained that the contents of the report had been discussed publicly. Thereafter a copy of the report was promptly furnished to the congressional committee which had requested it."

x x x

