

September 21, 1977

Honorable Robert Leggett
2263 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Chairman.

As you know, I am chairman of the House Interior Subcommittee that deals with offshore areas including the Northern Marianas. And in 1976, a resolution, of which I was the author, passed the Congress and was enacted into law, thus approving a covenant to establish a Commonwealth of the Northern Mariana Islands.

At present the Northern Marianas constitution is awaiting approval by the President and the people are moving ahead with plans for their first elected governor come December.

Under the terms of the covenant, however, the Northern Marianas formally will not become a Commonwealth nor will its people become U.S. citizens until the trusteeship is dissolved, the earliest date for this being 1981.

However, according to interim definitions, for the time period between the acceptance of the Constitution and the end of the Trusteeship, residents will have certain rights as if they were U.S. citizens.

I set forth the above because of some legislation currently pending before your Merchant Marine and Fisheries subcommittee. H.R. 2564, introduced by Representative AuCoin and on which I understand you have held one hearing to date, presents several problems to the people of the Northern Marianas:

1) The Northern Marianas legislature is concerned about the language of H.R. 2564 as it would affect the Northern Marianas. The legislature is ~~with~~ the opinion that residents of the Northern Mariana Islands would be classified as U.S. citizens under Section 25(i)

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of the bill and any vessels owned by these residents would be U.S. vessels under the same section. However, if their interpretation is incorrect, they would in effect be prohibited from fishing commercially within their own waters. And since a great many of them earn their living by fishing, this would be disastrous to their economy. In other words, for purposes of the Fishery Conservation and Management Act of 1976, which H.R. 2564 amends, will the residents of the Northern Mariana Islands be classified as U.S. citizens and be allowed to fish in their own waters?

2X Under Section 26(C) of H.R. 2564, a corporation must be 75% owned by citizens of the U.S. in order for its ships to fish within the 200 mile economic zone. Once the Constitution is approved by the President and goes into effect, the 200 mile economic zone would apply to the Northern Marianas. And this presents another problem. There is no U.S. fishing fleet in the Northern Marianas and for them to cultivate economic resources of water there, it will be necessary for them to participate in joint ventures with Japanese or Taiwanese fishing companies. And it is most unlikely that these companies will want to invest money on a 25-75 percent basis. Fifty-fifty is more likely. So I would strongly urge you and your committee to insert some kind of language into this bill that would take this into consideration.

For your information, I am enclosing a copy of the letter that was sent to me and to Representative AuCoin from Senator Guerrero, Chairman of the Economic Committee of the Northern Marianas legislature.

I look forward to hearing from you on the above matter.

Sincerely,

PHILLIP BURTON, Chairman
Subcommittee on National Parks
and Insular Affairs

FB:jl

cc: Representative AuCoin