

THE WHITE HOUSE

WASHINGTON

October 10, 1979

MEMORANDUM FOR MIKE CARDOZO

FROM: JEFFREY FARROW *JFF*

SUBJECT: Northern Mariana Islands Commission  
on Federal Laws

Attached is a copy of Section 504 of P.L. 94-241 requiring the appointment by the President of a commission to recommend to the Congress which laws of the United States should be made applicable to the new Commonwealth.

Stu's question is whether it would be appropriate for Administration officials (White House staff and the Interior Undersecretary) to serve. (Our third nominee would be the chairman of the House subcommittee.)

Would you please advise me on this as soon as possible as there is some urgency. Thanks.

Attachment

*Appendix E*  
*Presidential Slip-Sheet*

**WILSIE Co. LLC**  
**Presidential Libraries Project**  
(President's Name Slip-Sheet)

President: CARTER  
(Please print clearly)

Year: 1979  
(Please print clearly using the following date format for proper sorting: YYYY e.g. 1947)

Doc Date & Author: 1023 WON PAT  
(Please print clearly using the following date format for proper sorting: MMDD e.g. 1025 or 0103)

October 23, 1979

Honorable J. Bennett Johnston  
421 Russell Senate Office Building  
Washington, D. C. 20510

Dear Senator Johnston:

You are aware of the recent controversy generated by three law suits filed against the United States by the Northern Mariana Islands (NMI), local NMI fishermen, and a corporation licensed to do business in the NMI. The gist of these suits is that the NMI is not within the fishery conservation zone and is therefore not subject to the prohibition against the use of foreign-built vessels in the American fisheries, i.e., the 200 mile fishery conservation zone around the NMI. The immediate issue is the use of a foreign-built fishing vessel, the Olwol, which was a war reparation vessel given to the NMI by the Japanese.

However, the concerns are not limited to the use of one specific vessel; nor are they limited to the interests of the NMI. Guam and American Samoa are also very interested in using foreign-built vessels to develop their fishing industry. That they are exempt from the Nicholson Act (46 U.S.C. 251) which prohibits the landing in U.S. ports of fish caught on the high seas by foreign-flag vessels has not given these territories the leeway needed to develop their fishing industry in the most economically feasible manner. Instead, you have the situation where foreign-flag fishing vessels can land their catch on Guam and American Samoa, and foreign-built but U.S. owned vessels over five tons can neither fish nor land any catch wherever caught.

Because of the physical similarity of these three territories to each other, there is no logical, political or economic justification for differentiating between the islands. Moreover, Saipan (NMI) is only 110 miles north of Guam. As Chairman of the House Interior Subcommittee on Pacific Affairs it is incumbent upon me to approach this problem of the development of the fishing industry in the

Pacific in a uniform and equitable manner. All three territories should have the opportunity equally to develop and explore the marine resources in their waters.

It was in this context that I introduced today a bill that would entitle foreign-built vessels registered pursuant to 46 U.S.C 11 and owned by U.S. citizens and nationals residing in American Samoa, Guam and the NMI for employment in the fisheries within the territorial seas of American Samoa, Guam and the NMI and within that limited portion of the fishery conservation zone contiguous to the above-mentioned territorial seas. The bill does not amend existing requirements for registry under 46 U.S.C. 11, nor does it significantly deviate from the established definitions of key terms.

I cannot stress enough the need for a uniform, regional approach to this problem. A recent draft of an interagency territorial policy review task force report pinpoints the contradictory manner in which the documentation laws contribute to the wide gap between the perceived potential and the actual development of commercial fishing in these islands and suggests that amendments to existing laws may be warranted to accommodate the needs of these islands on a regional basis. My bill responds to this suggestion.

I am writing to solicit your support in this matter. I understand that you have requested some amendatory language that you might include in H.R. 3756 which would address the specific problem in the NMI. However, I urge you to consider the language in my bill which is more comprehensive and more equitable to these islands. The use of foreign-built vessels for fishing has become a very political and controversial issue in Guam and American Samoa, and not just in the NMI, and it seems to me that if the problem is to be legislatively addressed at all, comprehensive legislative makes the most sense.

A copy of the bill and of my statement for the record are enclosed for your ready reference. If you have any questions or comments, please feel free to call me or you may have your staffer call Ms. Aurora Jose of my staff.

Before I close, I would like to thank you for your very kind comments on my behalf at the opening of the hearing on H.R. 3756 on Wednesday, October 10, 1979. As I'm sure

- 3 -

you're aware, I would like very much to retain my status as an "old friend" of the Senate.

Thank you for your attention in this matter. Si yuus maase and best personal regards.

Sincerely,

ANTONIO B. WON PAT  
Member of Congress

Enclosure