



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

December 6, 1979

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BCR:EY  
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90-4-98  
90-4-107

Mr. George R. Milner  
Deputy Director  
Office of Territorial Affairs  
Department of the Interior  
Washington, D.C.

Dear Mr. Milner:

Re: Marianas Fisheries, Inc., et al. v. Kreps;  
Commonwealth of the Northern Mariana Islands  
v. United States, et al; Francisco B.  
Matsunaga, et al. v. Anderson, et al. --  
all in D. NMI, Civil Nos. 79-031, 79-041 and  
79-033.

Per the discussion in the meeting on Tuesday, December 4th, concerning the Northern Marianas at the Justice Department, I am transmitting herewith a draft of a proclamation to suspend the applicability of the vessel documentation laws insofar as they would prevent Northern Marianas citizens from using foreign-built vessels owned by them in the fisheries around the Northern Mariana Islands. The draft is similar to the one initially circulated and cleared by the various agencies in September, with the addition of a few clarifying changes to respond to comments since received, e.g. (1) addition of "citizens of the United States" to the group of persons as to which the proclamation is applicable, (2) addition of specific language to ensure that the M/V OLVOL is covered, (3) addition of the word "fishing" as a qualifier to the type of vessel the proclamation is applicable to, and (4) change of the words "contrary to" the Trusteeship Agreement to "not consonant with the objectives of" the Trusteeship Agreement.

This draft proclamation is being circulated among the agencies with the understanding that the accompanying Presidential statement would clearly explain that the

proclamation would only apply to the duration of the Trusteeship Agreement and that the Federal Government would seek to work with both the Northern Marianas and Guam to achieve a more permanent solution to fisheries development problems.

I have checked again with Jeffery Farrow, and he confirms that he thinks he can work things out with Congressman Won Pat and get the proclamation approved at the White House. He does suggest, however, that it would be desirable to expedite the comment process on the Won Pat bill so that approval of the Proclamation can be coordinated with a hopefully favorable administrative position on the objective of the Won Pat bill.

As discussed in the meeting, we need to expedite the initiation of the approval process for the proclamation. In line with this, please call me by close of business, Monday, December 10, 1979, at 633-2755, concerning whether your agency clears on the substance of the proclamation and concerning any additional language changes you may wish to suggest.

Sincerely,

Assistant Attorney General  
Land and Natural Resources Division

By:

*Elizabeth Yu*  
Elizabeth Yu  
Attorney, Marine Resources Section

Enclosure

cc: Steve Sanders, Dept. of Interior  
Bob Bowles, Dept of Interior