A RESOLUTION

APIL Resolution No. 30-GA-12

"Expressing the Association of Pacific Island Legislatures' support of and advocating the passage of H.R. 670 by the United States Congress."

WHEREAS, the coastal states and territories of the United States may claim title for jurisdictional and economic purposes to territorial waters extending from their shores under the Submerged Lands Act of 1953 and subsequent acts; and

WHEREAS, with the passage of several submerged lands acts, the U.S. Congress has provided that the coastal states and territories of the United States have a vested interest in the lands beneath navigable waters, and have the right to manage, lease, and develop these lands and the natural resources therein; and

WHEREAS, based on a decision of the Ninth Circuit Court of Appeals under the Doctrine of Paramountcy, the Commonwealth of the Northern Mariana Islands (CNMI) currently has no similar claim to territorial waters and the resources therein extending from its shores, see Commonwealth of the Northern Mariana Islands v. United States, 399 F.3d 1057 (9th Cir. 2005); and

WHEREAS, the decision of the Ninth Circuit was appealed unsuccessfully to the Supreme Court of the United States; and

WHEREAS, there is pending in the United States Congress a bill, H.R. 670, introduced by CNMI Delegate to the United States Congress Gregorio C. Sablan and co-sponsored by Representative Don Young of Alaska, Guam Delegate to the United States Congress Madeleine Bordallo, Representative Grace Napolitano of California, Resident Commissioner of Puerto Rico to the United States Congress Pedro Pierluisi, Representative Mazie K Hirono of Hawaii, Representative Mike Honda of California, Representative Dan Boren of Oklahoma, Representative Jeff Flake of Arizona, Representative Donna M. Christensen of the Virgin
Islands, Representative Nick Rahall of West Virginia, American Samoa Delegate to the United States Congress Eni F. H. Faleomavaega, Representative Joe Baca of California, Representative Barbara Lee of California, Representative Dale Kildee of Michigan, Representative Robert C. Scott of Virginia, Representative Al Green of Texas, Representative Raul Grijalva of Arizona, Representative Luis Gutierrez of Illinois, and Representative George Miller of California, before the United States House of Representatives, 112th United States Congress; and

WHEREAS, this bill, if enacted into law, will provide the CNMI with the title, rights, and interest of the United States in lands permanently or periodically covered by tidal waters for a three (3) mile area extending from the shores of the CNMI; and

WHEREAS, the CNMI will greatly benefit from this pending federal legislation entitling it to access to this three (3) mile territorial sea and exclusive economic zone in its surrounding waters; and

WHEREAS, the unified support of this legislation by the Association of the Pacific Island Legislatures validates the importance of the submerged lands issue to the Commonwealth of the Northern Mariana Islands; now, therefore,

BE IT RESOLVED, by the Association of Pacific Island Legislatures, 30th General Assembly, Republic of Palau, June 15-17, 2011, that the Association of Pacific Island Legislatures expresses its support and advocates the passage of H.R. 670 by the United States Congress; and

BE IT FURTHER RESOLVED, that the APIL President shall certify, and the APIL Secretary shall attest to the adoption of this Resolution and that copies of the same shall be transmitted to the Honorable Joseph R. Biden, Jr., President of the Senate, 112th United States Congress; Honorable John Boehner, Speaker of the House, 112th United States Congress; Honorable Representative Don Young of Alaska; Honorable Guam Delegate to the United States Congress Madeleine Bordallo; Honorable Representative Grace Napolitano of California; Honorable Resident Commissioner of Puerto Rico to the United States Congress Pedro Pierluisi; Honorable Representative Mazie K Hirono of Hawaii; Honorable Representative Mike Honda of California; Honorable Representative Dan Boren of Oklahoma; Honorable Representative Jeff Flake of Arizona; Honorable Representative Donna M. Christensen of the Virgin Islands; Honorable Representative Nick Rahall of West Virginia; Honorable American Samoa Delegate
to the United States Congress Eni F. H. Faleomavaega; Honorable Representative Joe Baca of California; Honorable Representative Barbara Lee of California; Honorable Representative Dale Kildee of Michigan; Honorable Representative Robert C. Scott of Virginia; Honorable Representative Al Green of Texas; Honorable Representative Raul Grijalva of Arizona; Honorable Representative Luis Gutierrez of Illinois; Honorable Representative George Miller of California; and to the Presiding Legislative Officers and the Chief Executive Officers of all members of the Association of Pacific Island Legislatures.

DULY AND REGULARLY ADOPTED ON THE 17TH DAY OF JUNE, 2011

REBLUUD KESOLEI  
APIL PRESIDENT

ALIK J. ALIK  
APIL SECRETARY