



Association of Pacific Island Legislatures

American Samoa
Commonwealth of the Northern Mariana Islands
FSM, State of Chuuk
FSM, State of Kosrae
FSM, State of Pohnpei
FSM, State of Yap
Island of Guam
Republic of Kiribati
Republic of the Marshall Islands
Republic of Nauru
Republic of Palau
State of Hawaii

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.”

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

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

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

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

15 **WHEREAS**, there is pending in the United States Congress a bill, H.R. 670, introduced
16 by CNMI Delegate to the United States Congress Gregorio C. Sablan and co-sponsored by
17 Representative Don Young of Alaska, Guam Delegate to the United States Congress Madeleine
18 Bordallo, Representative Grace Napolitano of California, Resident Commissioner of Puerto Rico
19 to the United States Congress Pedro Pierluisi, Representative Mazie Hirono of Hawaii,
20 Representative Mike Honda of California, Representative Dan Boren of Oklahoma,
21 Representative Jeff Flake of Arizona, Representative Donna M. Christensen of the Virgin

1 Islands, Representative Nick Rahall of West Virginia, American Samoa Delegate to the United
2 States Congress Eni F. H. Faleomavaega, Representative Joe Baca of California, Representative
3 Barbara Lee of California, Representative Dale Kildee of Michigan, Representative Robert C.
4 Scott of Virginia, Representative Al Green of Texas, Representative Raul Grijalva of Arizona,
5 Representative Luis Gutierrez of Illinois, and Representative George Miller of California, before
6 the United States House of Representatives, 112th United States Congress; and

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

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

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


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

20 **BE IT FURTHER RESOLVED**, that the APIL President shall certify, and the APIL
21 Secretary shall attest to the adoption of this Resolution and that copies of the same shall be
22 transmitted to the Honorable Joseph R. Biden, Jr., President of the Senate, 112th United States
23 Congress; Honorable John Boehner, Speaker of the House, 112th United States Congress;
24 Honorable Representative Don Young of Alaska; Honorable Guam Delegate to the United States
25 Congress Madeleine Bordallo; Honorable Representative Grace Napolitano of California;
26 Honorable Resident Commissioner of Puerto Rico to the United States Congress Pedro Pierluisi;
27 Honorable Representative Mazie Hirono of Hawaii; Honorable Representative Mike Honda of
28 California; Honorable Representative Dan Boren of Oklahoma; Honorable Representative Jeff
29 Flake of Arizona; Honorable Representative Donna M. Christensen of the Virgin Islands;
30 Honorable Representative Nick Rahall of West Virginia; Honorable American Samoa Delegate

1 to the United States Congress Eni F. H. Faleomavaega; Honorable Representative Joe Baca of
2 California; Honorable Representative Barbara Lee of California; Honorable Representative Dale
3 Kildee of Michigan; Honorable Representative Robert C. Scott of Virginia; Honorable
4 Representative Al Green of Texas; Honorable Representative Raul Grijalva of Arizona;
5 Honorable Representative Luis Gutierrez of Illinois; Honorable Representative George Miller of
6 California; and to the Presiding Legislative Officers and the Chief Executive Officers of all
7 members of the Association of Pacific Island Legislatures.

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


REBLUD KESOLEI
APIL PRESIDENT


ALIK J. ALIK
APIL SECRETARY

