



THE WHITE HOUSE
PRESIDENT
GEORGE W. BUSH

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Statement by the President on the Occasion of the Designation of the Marianas Trench Marine National Monument, Pacific Remote Islands Marine National Monument, and the Rose Atoll Marine National Monument

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Ensuring Navigations Rights and Freedoms, and the Global Mobility of U.S. Armed Forces in the World's Oceans

On June 15, 2006, I established the Northwestern Hawaiian Islands Marine National Monument, and on May 15, 2007, I instructed the U.S. delegation to the International Maritime Organization to submit a proposal for international measures to enhance protection of the Monument. On April 4, 2008, the International Maritime Organization adopted our proposal, and the Papahānaumokuākea Particularly Sensitive Sea Area (PSSA) was established.

On this occasion of the establishment of the Marianas Trench Marine National Monument, the Pacific Remote Islands Marine National Monument, and the Rose Atoll Marine National Monument, I confirm that the policy of the United States shall be to continue measures established in the Papahānaumokuākea Marine National Monument to protect the training, readiness, and global mobility of U.S. Armed Forces, and ensure protection of navigation rights and high seas freedoms under the law of the sea, which are essential to the peace and prosperity of civilized nations.

The security of America, the prosperity of its citizens, and the protection of the ocean environment are complementary and reinforcing priorities. As the United States takes measures to conserve and protect the living and non-living resources of the ocean, it shall ensure preservation of the navigation rights and high seas freedoms enjoyed by all nations under the law of the sea, including in particular:

- The right of innocent passage in territorial seas, without requirement for prior notification to or permission from a coastal state.
- The right of transit passage for ships, submarines, and aircraft in straits used for international navigation; a right that may not be suspended, denied, hampered, or impaired.
- The right of archipelagic sea lanes passage in designated sea lanes and air routes, and passage routes normally used for international navigation in archipelagic nations.
- The exercise of high seas freedoms in exclusive economic zones, including the conduct of military activities, exercises, and surveys.

The United States shall recognize and apply navigation rights and freedoms under the law of the sea when establishing marine protected areas, just as it did in the Northwestern Hawaiian Islands Marine National Monument and in today's Monument proclamations. The United States will exercise the same rights and freedoms in similarly protected areas and waters of foreign nations. In addition, the United States, through its executive agencies, shall provide for the readiness, training, and global mobility of U.S. Armed Forces in its establishment of marine conservation areas.

Management of Submerged Lands

The Commonwealth of the Northern Mariana Islands (CNMI) is the only United States territory that does not have title to the submerged lands beneath that portion of the United States territorial sea that is within 3 miles of the coastlines of the CNMI. It is appropriate that the CNMI be given the same authority as the other territories. In 2005, my Administration supported legislation that would have provided the CNMI with such ownership, consistent with what was granted to Guam, the Virgin Islands, and American Samoa in October 1974.

My Administration also recognizes, as was recognized in 1974, the need to reserve Federal title in certain submerged lands, including submerged lands for use by our Nation's military, which is moving forces to the area from Okinawa, Japan. It is in the interest of the security of our Nation to reserve the necessary areas for national defense, while also ensuring the people of the CNMI have the benefit and enjoyment of the rights coming with ownership of submerged lands out to 3 miles.

To this end, I have asked the Secretary of the Interior to submit legislation that, subject to valid existing rights, transfers to the CNMI the existing rights and title of the Federal Government over submerged lands within 3 miles of the coast of the CNMI, consistent with that provided to Guam, the Virgin Islands, and American Samoa, and I urge the Congress to promptly pass such legislation.

I have also directed the Department of the Interior to develop legislation and procedures for the management and administration of recovery of mineral resources in areas of the Pacific, outside the Monument, that are not currently covered by existing offshore mineral resource law, including authority and procedures for obtaining royalties and assessing fees and for revenue sharing, as appropriate.

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