



**THE SENATE
TWENTIETH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

SENATE RESOLUTION NO. 20-05

Introduced by: Senators Arnold I. Palacios, Justo S. Quitugua, Sixto K. Igisomar, , Francisco M. Borja, Francisco Q. Cruz, Jude U. Hofschneider, Steve K. Mesngon and Teresita A. Santos

A SENATE RESOLUTION

To respectfully request that Secretary Ryan Zinke, U.S. Department of the Interior and Secretary Wilbur Ross, U.S. Department of Commerce, restore fishing and mineral resource extraction rights to the Commonwealth of the Northern Mariana Islands (CNMI) that were taken through the proclamation establishing the Marianas Trench Marine National Monument; to recommend that the fishery management within the Marianas Trench National Marine Monument be returned to the Western Pacific Regional Fishery Management Council as authorized by the Magnuson-Stevens Fishery Conservation and Management Act while mineral resource extraction be treated as other submerged lands found in the CNMI; and to convey disapproval of the establishment of any National Marine Sanctuary in the CNMI.

1 **WHEREAS**, in December 2007, a member of the Pew Environment Group made a
2 presentation during an annual meeting of the Mariana Islands Nature Alliance (MINA) and
3 asked that the local non-government organization be the lead in assisting Pew in its campaign
4 to have a Marine National Monument established in the CNMI; and

5 **WHEREAS**, in early 2008, MINA declined Pew's offer to lead the environmental
6 campaign for establishing a Marine National Monument in the CNMI; and

7 **WHEREAS**, in the Spring of 2008, the Pew Environment Group created and financed
8 the "Friends of the Monument" group to manage Pew's campaign to establish a Marine
9 National Monument in the CNMI; and

10 **WHEREAS**, on 19 March 2008, Governor Benigno R. Fitial responded to a letter
11 from the Pew Global Ocean Legacy and informed it that the CNMI was "not prepared to
12 embrace the National Monument proposal" that Pew was advocating; and

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1 **WHEREAS**, on 29 April 2008, Governor Benigno R. Fitial wrote to then President
2 George W. Bush informing him that he does “not support Pew’s proposed creation of a
3 Marine National Monument in the Northern Mariana Islands”; and

4 **WHEREAS**, in the Spring of 2008, despite the opposition of a Marine National
5 Monument by Governor Benigno R. Fitial and most of the local stakeholders, the Pew
6 Environment Group chose to mount an intensive campaign to support the designation of a
7 Marine National Monument in the CNMI; and

8 **WHEREAS**, on 6 June 2008, Mayor of the Northern Mariana Islands Valentin I.
9 Taisakan requested then President George W. Bush “to allow us, the people of the
10 Commonwealth of the Northern Mariana Islands, ample time to seriously study the possible
11 effect of the proposed Marine National Monument with hope that you call for consultation
12 with the CNMI through the Covenant Section 902 Talk”; and

13 **WHEREAS**, on 9 June 2008, Saipan Mayor Juan Borja Tudela wrote to then
14 President George W. Bush informing him that he does not “support having a Marine National
15 Monument designated in the Northern Mariana Islands” and that the “existing resource
16 management authorities, the Western Pacific Regional Fishery Management Council and the
17 National Marine Fisheries Service” be allowed to continue managing marine resources; and

18 **WHEREAS**, on 12 June 2008, Tinian Mayor Jose P. San Nicolas wrote to then
19 President George W. Bush requesting that he “not designate any portion of the CNMI as a
20 Marine National Monument”; and

21 **WHEREAS**, on 15 July 2008, Rota Mayor Joseph S. Inos wrote to then President
22 George W. Bush informing him that he “does not support the designation of a Marianas
23 National Monument in the Mariana Islands as it conflicts with our traditional and sustainable
24 use of marine resources and completely bypasses public and stakeholder involvement”; and

25 **WHEREAS**, on 6 August 2008, Senate President Pete P. Reyes and Speaker of the
26 House Arnold I. Palacios wrote then President George W. Bush informing him of their
27 opposition to the proposed Marianas Trench Marine National Monument being advocated for
28 by the Pew Environment Group; and

29 **WHEREAS**, in September 2008, Senate Joint Resolution 16-04 informed then
30 President George W. Bush that the people of the Commonwealth of the Northern Mariana

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1 Islands, as represented by both houses of the sixteenth Legislature, strongly opposes the
2 creation of a Marine National Monument in the CNMI; and

3 **WHEREAS**, on 27 October 2008, Guam Governor Felix P. Camacho informed the
4 White House's Council on Environmental Quality Chairman James Connaughton that he did
5 not support a Marine National Monument in the Marianas archipelago; and

6 **WHEREAS**, on 20 November 2008, the entire membership at the 10th Micronesian
7 Chief Executives' Summit informed then President George W. Bush that they opposed the
8 creation of a Marine National Monument in the Commonwealth of the Northern Mariana
9 Islands. Those signing the letter included Honorable Emnuel Mori, President, Federated States
10 of Micronesia (FSM); Honorable Felix P. Camacho, Governor of Guam; Honorable Tommy
11 R. Remengsau Jr., President, Republic of Palau; Honorable Benigno R. Fitia, Governor of the
12 Commonwealth of the Northern Mariana Islands; Honorable Litokwa Tomeing, President,
13 Republic of the Marshall Islands; Honorable Sebastian Anefal, Governor, Yap State (FSM);
14 Honorable John Ehsa, Governor, Pohnpei State (FSM); Honorable Robert Weilbacher,
15 Governor, Kosrae State (FSM); and Honorable Wesley Simina, Governor, Chuuk State
16 (FSM); and

17 **WHEREAS**, on 6 January 2009, President George W. Bush signed Presidential
18 Proclamation No. 8335 that designated 95,216 square miles of submerged lands and waters of
19 the Mariana archipelago as a Marine National Monument, with management authority placed
20 with the Department of the Interior (U.S. Fish and Wildlife Service) and Department of
21 Commerce (National Marine Fisheries Service); and

22 **WHEREAS**, since January 2009, the responsible federal management authorities
23 failed to meet the January 2011 deadline for development of management plans as required by
24 the Presidential Proclamation No. 8335 and these plans are still not complete today; and

25 **WHEREAS**, since January 2009, the responsible federal management authorities
26 failed to include the CNMI in a meaningful co-management agreement over monument
27 resources, as promised during the assessment period; and

28 **WHEREAS**, since January 2009, there have been no measurable economic benefits
29 associated with designation of the Marianas Trench Marine National Monument, as promised
30 during the assessment period; and

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1 **WHEREAS**, since January 2009, no Marianas Trench Marine National Monument
2 visitors center has been established, as promised during the assessment period; and

3 **WHEREAS**, since January 2009, there has been no funding increase to the U.S. Coast
4 Guard to step up marine surveillance, protection and enforcement in Monument waters, as
5 promised during the assessment period; and

6 **WHEREAS**, in 2013 the U.S. Congress passed Public Law 113-34 that conveyed
7 ownership of the nearshore (0 to 3 nautical miles offshore) waters to the CNMI Government.
8 Later, President Obama withheld the conveyance of the nearshore marine areas are
9 surrounding the Monument islands of Uracus, Maug and Asuncion until such time as the
10 CNMI Government agreed to management of these waters under existing Monument
11 guidelines. The Federal Government inferred unencumbered conveyance of nearshore marine
12 areas surrounding every island in the CNMI during the assessment period; and

13 **WHEREAS**, on 26 April 2017, President Donald J. Trump signed Executive Order
14 13792 titled "Review of Certain National Monuments Established Since 1996." As lead
15 agency, the Department of the Interior is accepting public comments through July 10, 2017,
16 on certain National Monuments designated or expanded under the Antiquities Act of 1906
17 since 1 January 1996 where the designation covers more than 100,000 acres or where the
18 Secretary determines that the designation was made without adequate public outreach and
19 coordination with relevant stakeholders. The Marianas Trench National Marine Monument is
20 included in the list of monuments to be reviewed under this Executive Order; and

21 **WHEREAS**, on 28 April 2017, President Donald J. Trump signed Executive Order
22 13795 titled "Implementing an America-First Offshore Energy Strategy." As lead agency, the
23 Department of Commerce is accepting public comments through July 28, 2017, on certain
24 National Monuments designated or expanded under the Antiquities Act of 1906 within the last
25 10 years. The Marianas Trench National Marine Monument is included in the list of
26 monuments to be reviewed under this Executive Order;

27 **THEREFORE, BE IT RESOLVED** that the Senate of the Twentieth Northern
28 Marianas Commonwealth Legislature respectfully requests that Secretary Ryan Zinke, U.S.
29 Department of the Interior, and Secretary Wilbur Ross, U.S. Department of Commerce,
30 restore the fishing and mining extraction rights that were taken from the CNMI through the

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1 unilateral designation of the Marianas Trench Marine National Monument to their rightful
2 owners, the people of the Northern Mariana Islands; and

3 **BE IT FURTHER RESOLVED** that the Senate recommends that fishing
4 management for all federal waters now within Marine National Monuments be returned the
5 respective regional fishery management council as authorized by the Magnuson-Stevens
6 Fishery Conservation and Management Act; that mineral resource extraction for all Marine
7 National Monuments be under the auspices of the current federal mineral resource mining
8 law; and that National Marine Sanctuaries not be established in the CNMI as they are neither
9 needed nor wanted; and

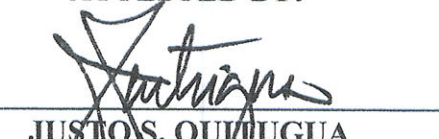
10 **BE IT FURTHER RESOLVED** that the President of the Senate shall certify, and the
11 Senate Legislative Secretary shall attest to the adoption of this resolution and thereafter the
12 Senate Clerk shall transmit a certified copy to the Honorable Donald J. Trump, President of
13 the United States of America; the Honorable Ryan Zinke, Secretary of the U.S. Department
14 of the Interior; the Honorable Rob Bishop, Chairman of the Committee on Natural
15 Resources, U.S. House of Representatives, 114th United States Congress; the Honorable
16 Lisa Murkowski, Chairperson of the Committee on Energy and Natural Resources, U.S.
17 Senate, 114th United States Congress; the Honorable James Mattis, Secretary of the U.S.
18 Department of Defense; the Honorable Wilbur Ross, Secretary of the U.S. Department of
19 Commerce; the Honorable Ted Boling, Acting Director of the Council on Environmental
20 Quality; the Honorable Ralph DLG. Torres, Governor of the Commonwealth of the Northern
21 Mariana Islands; the Honorable Rafael S. Demapan, Speaker of the 20th House of
22 Representatives; and the Honorable Gregorio Kilili Camacho Sablan, CNMI Delegate to the
23 U.S. Congress, 114th United States Congress.

ADOPTED BY THE SENATE ON JULY 11, 2017.

CERTIFIED BY:


ARNOLD I. PALACIOS
President of the Senate

ATTESTED BY:


JUSTOS. QUITUGUA
Senate Legislative Secretary