



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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APR 15 1969

Dear Mr. Secretary:

I am informed that during the last days of the past Administration, a decision was made concerning strategy to be employed by the United States in connection with a joint U.S.-Soviet effort to convene a third world conference on law of the sea, which decision has substantial and, in my judgment, unnecessarily adverse implications for major segments of the fishing industry of the United States. I am told that there was a difference in viewpoint between the Department of Interior on one hand and the Departments of State and Defense on the other regarding the weight that should be given to domestic fishery interests in formulating strategy.

It appears that the Departments of State and Defense concluded that defense interests dictated that the United States should join with the Soviet Union in seeking world agreement on a 12-mile territorial sea with right of passage through international straits preserved, and that fishery questions should be taken into account only to the extent that they would affect the feasibility of a successful conference. It was the view of these Departments that U.S. fishery interests should not be allowed to influence in any way the achievement of defense objectives, and that the only question to be considered in connection with fisheries was, "Can a third conference succeed without dealing with the fishery issue?"

It was the position of the representatives of this Department that while defense interests, of course, outweigh fishery interests, the situation is not likely to be such as to require that the latter be completely ignored. This Department's representatives argued that a third law of the sea conference offers the potential of finding solutions to international legal problems relating to jurisdiction over fisheries which have plagued U.S. fisheries in recent years. They argued that it was probable that this potential could be realized without interfering unduly with the achievement of defense objectives. They argued finally that it would be politically unrealistic to consider a third world conference which would ignore fishery problems, in view of the frequently expressed desire of a large part of the domestic fishing industry for a solution to their problems with foreign fishing interests which could be found only in a broad conference.

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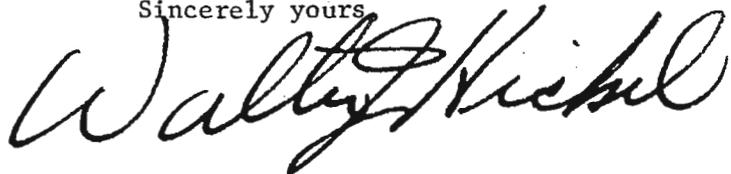
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To resolve this difference in views, the Under Secretaries of the three Departments met on December 12, 1968, at which time the then Under Secretary of State, Mr. Katzenbach, decided the issue in favor of the Departments of State and Defense. Since then, I am informed, decisions on strategy have ignored domestic fishery interests.

It is my view that Mr. Katzenbach's decision should be reexamined. The progress which has been made in negotiations with the Soviets to date, in my opinion, presents an opportunity to develop a jurisdictional compromise acceptable to our own domestic fisheries as well as the world community. However, if this opportunity is to be capitalized upon, domestic fishery interests cannot be sacrificed in entirety to the interests of the other Departments. Indeed, the situation as it is described to me seems unlikely to present us with an "all or nothing" choice.

In these circumstances and in view of the momentum developing for a new world conference, I would urge that you arrange for an immediate inter-Departmental review of the question of the consideration to be given domestic fishery interests in determining U.S. positions for such a conference. Pending such a review, I would hope that no action would be taken which would be prejudicial to a decision. I have in mind specifically forthcoming consultations in the NATO Advisory Council, scheduled for later this month.

Sincerely yours,



Secretary of the Interior

Hon. William P. Rogers
Secretary of State
Washington, D. C. 20520

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