



DEPARTMENT OF STATE
Washington, D.C. 20520

7109283
NSC 29727

RS/R FILES

Attention MULLETT
Keep this study together.

June 23, 1971

COPIES TO:
H
ARA
ARA/BR
ARA/EP/E
S/FW
S/FW-COA
S/S
S/S:RF

MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

Subject: Letter to the President from
Congressman Sam M. Gibbons

Congressman Sam M. Gibbons wrote to the
President on June 16 regarding harassment of fishing
vessels by the Brazilian Government.

A suggested reply for signature by a member
of the White House staff is attached.

Theodore L. Eliot, Jr.
Executive Secretary

Attachments:

1. Suggested reply
2. Letter from Congressman Gibbons

For 33-4 BNAZ-US XR INCO-FISH US

ARA/BR: EWSavage:me:6/23/71

Clearances: ARA/BR - Mr. Dean

ARA - ~~XXXXXXXXXXXX~~ Mr. Cryan

H - Mr. Leahy
KRIZEK

ARA/EP/E-Miss Ridgway

Retyped 6/23/71

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MICROFILMED
BY S/S: CMS

S/FW-COA - WVanCamp

DECLASSIFIED
Authority NND969033

SUGGESTED REPLY

Dear Mr. Gibbons:

The President has asked that I reply to your letter of June 16 concerning harassment of United States shrimp boats in waters now claimed by Brazil as part of its territorial seas.

The President is very concerned about Brazil's enforcement of its unilateral 200 mile claim, not only for its effect on fishing vessels operating off the coast of Brazil but also for its bearing on various other aspects of maritime law and our traditional position in support of the freedom of the seas. He has instructed the Department of State and other interested government bodies to examine our position urgently in light of this development and in preparation for an international meeting to be held next month in Geneva as a preliminary to the worldwide Law of the Sea Conference to be convened in 1973 under the auspices of the United Nations.

Honorable Sam M. Gibbons
House of Representatives,
Washington, D.C.

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We have expressed our concern both here and in Brasilia over the various incidents of harassment of U.S. flag fishing vessels by Brazilian Navy ships, particularly the reported shooting incident. In reply, the Brazilian Foreign Ministry has told our Ambassador in Brasilia that although captains of Brazilian vessels have asked the shrimpers to leave waters now claimed by Brazil, they deny that shots have been fired. To our knowledge, no U.S. vessels on loan to Brazil have been involved in harassment of the shrimp fleet.

As we look for ways to end our differences with Brazil, we must also be respectful of other interests which are related to the problem. One is the President's oceans policy, which we hope will lead to important international agreements involving the law of the sea at the 1973 conference. Another is the wide range of our security, foreign policy and economic concerns in the hemisphere. Courses of action which are available to us to solve the problem of harassment must take cognizance of the fact that these three interests--the industry, the law of the sea, and the hemisphere--must be served equally well.

In this regard, we do not believe that the use of force, such as might be implied in the deployment of a Coast Guard cutter, would advance our interest of maintaining close and friendly relations with the nations of this hemisphere, nor would it serve our policy of pursuing an international agreement on coastal state jurisdiction over fisheries.

We continue to maintain close contact with the Government of Brazil in an effort to avoid further incidents and to prepare the groundwork for more formal discussions with Brazil on this whole question. We hope that the problem can be resolved through negotiation without incident and without detriment to our basic position on the law of the sea.

Sincerely,

Department of State

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DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
ACTION SLIP
WHITE HOUSE REFERRAL

CONTROL NO.

9283

Bn

TO ARA - Lois Roberson

DATE 6/22/71

SUBJECT Gibbon (MC) letter to RMN of 4/16/61 regarding harassment of fishing vessels by Brazilian Government.

XX Prepare an Eliot to Kissinger
memo enclosing or containing:

 Draft reply for President's
signature.

XX Draft reply for signature by
WH staff.

 Memo for use as enclosure to reply
by White House.

 Comment or recommendation.

 Direct reply:

 Furnish information copy under
cover of an Eliot to _____
memo.

 Comeback copy required for S/S.

 Suitable acknowledgment or other
appropriate handling:

 Furnish information copy of
reply, if any, under cover of
an Eliot to _____ memo.

 Opening line: "In response to
_____'s request of
_____."

 FYI

XX Due in S/S by 3:00 PM on 6/23.

NOTES

1. White House referrals must be answered within two working days unless otherwise noted. If deadline cannot be met, inform S/S immediately at extension given below.
2. Direct replies to White House mail must be signed at the Assistant Secretary level.
3. Unless otherwise noted, direct replies, depending upon the addressee of the incoming letter, must begin: "President Nixon has asked that I reply" or "Mr. _____ has asked me to reply".
4. When the White House requests the Department's comment or recommendation, a suggested reply, or a comeback copy of a direct reply, the incoming correspondence together with the original White House referral sheet should be returned as the last enclosure.

Pol 33-4 BRA2-05 XIR INC-F 15475

REMARKS

COPIES TO:

U - Mr. Williams (w/att)
L - Mr. Harris (w/att)
S/FW - Mrs. Fleri (w/att)

P. W. Borg
Parker W. Borg, x21522
SECRETARIAT STAFF
EXT.

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Authority NND969033

REFERRAL

83

To: Department of State Secretariat

Date: June 21, 1971

ACTION REQUESTED

- Draft reply for:
 - President's signature.
 - Undersigned's signature.
 - White House Staff Member
 - Memorandum for use as enclosure to reply.
- Direct reply.
- Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
- Furnish copy of reply, if any.
- For your information.
- For comment.

NOTE

Prompt action is essential.

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS: Draft Reply for White House Staff Member's signature
DUE; Close of Business Wednesday, June 23, 1971

Description:

Letter: _____ Telegram: _____ Other: _____

To: The President

From: Congressman Sam M. Gibbons

Date: 6/16/71

Subject: Fisheries Dispute with Brazil re 200-mile territorial seas claim

By direction of the President:

J. E. Davis
Jeanne W. Davis

(Keep with correspondence)

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Authority NND969033

GIBBONS

DISTRICT OF COLUMBIA, FLORIDA

HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-3376

Congress of the United States

House of Representatives

Washington, D.C. 20515
June 16, 1971

WAYS AND MEANS
COMMITTEE

DEMOCRATIC COMMITTEE
ON COMMITTEES

HECTOR ALCALDE
ADMINISTRATIVE ASSISTANT

NELL HOWLETT
LEGISLATIVE ASSISTANT

15 9 77 N 115

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BT

The Honorable Richard Nixon
President of the United States
Washington, D. C.

Dear Mr. President:

I am sure you have been following the controversy between the Government of Brazil and the U. S. shrimp fleet regarding Brazil's recent action to enforce its territorial claim of a 200-mile limit. This action, of course, seriously affects the activities of the U. S. flag shrimp vessels operating in that area of the world.

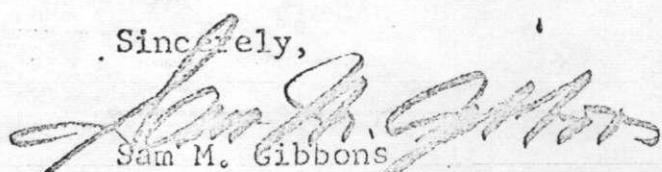
American shrimp vessels, operating in international waters off the coast of Brazil, have been harassed by planes and gunboats of the Government of Brazil. The latest incident took place early this morning at which time a Brazilian gunboat fired on American shrimp vessels and ordered them to leave under the threat of being boarded. It is ironic to note that the same Brazilian gunboats that have been taking these actions are the ones which have been given to Brazil by our own Government.

I urge you to do everything possible to resolve this problem and request that you direct that a Coast Guard cutter be dispatched immediately to the disputed area to make sure that American vessels and American citizens receive the protection to which they are entitled.

My only desire is that the Brazilians stop harassing our U. S. fishing vessels so that they can legitimately fish in recognized international waters off the coast of Brazil.

I look forward to your early reply.

Sincerely,



Sam M. Gibbons
United States Congressman

SMG:o

File 33-4 Brn 2-05 XIR memo-FISH US

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