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THE WHITE HOUSE
WASHINGTON

October 2, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: BRENT SCOWCROFT
FROM: JIM CONNOR *JEC*
SUBJECT: Memorandum from Secretary Kissinger
Regarding US-Mexico Fisheries Agreement

The President reviewed your memorandum of September 23
(original returned herewith) and made the following notation:

"Did the Secretary of State check
on this (possibility of some delay?)"

Please follow-up with appropriate action.

cc: Dick Cheney

*NSC advised on 11/19/76 that
the President approved this
and gave package directly
to Henry Kissinger.*

THE WHITE HOUSE
WASHINGTON

Brent?

Did the Sec.
of State check on
this (possibility of some
delay)?

MEMORANDUM

THE WHITE HOUSE

5082

WASHINGTON

ACTION

CONFIDENTIAL (GDS)

September 23, 1976

MEMORANDUM FOR: THE PRESIDENT

FROM: BRENT SCOWCROFT 

SUBJECT: Memorandum from Secretary Kissinger
Regarding US-Mexico Fisheries Agreement

The United States and Mexico have reached agreement, at the negotiating level, on a broad range of fisheries issues arising as a result of action by Mexico to extend jurisdiction over fishing up to 200 miles. The executive agreement resulting from these negotiations is now ready for signature. It does not require ratification by the Senate.

In the memorandum at Tab A Secretary Kissinger informs you that he believes the agreement, as presently negotiated, is as good an agreement as we can get and that he has instructed Department of State officers to move forward toward signature. (State will not proceed to final signature until receiving your approval.) This agreement has substantial domestic implications, inasmuch as the agreement phases out US shrimp fishing in the Gulf of Mexico over the next 3½ years. The State memo points out that "with the passage of our 200-mile legislation, PL 94-265, this is precisely what the US would do (perhaps even less generously) with respect to foreign nations operating off our own coast in the same circumstances." Nevertheless, the agreement is sharply opposed by the Gulf shrimp fishing industry, particularly in Texas.

On August 3, a bill was introduced in the Senate which, although dealing with a variety of issues relating to the shrimp industry, contains provisions directly aimed at embargoing Mexican shrimp imports. The bill was sponsored by Chiles and Stone of Florida; Bentsen and Tower of Texas; Long and Johnson of Louisiana; Allan and Sparkman of Alabama; and Thurmond and Hollings of South Carolina. Its introduction is related to the shrimping provisions of the US-Mexican agreement. Support for the bill appears to be limited.

Other aspects of the agreement, however, are very favorable to us, particularly those affecting the US tuna industry, which strongly supports

CONFIDENTIAL (GDS)

KR 5/17/88

the agreement. The provisions granting access for sport fishing off Mexico also are highly satisfactory. Even with regard to the shrimping interests, the Mexicans reversed an initial decision to terminate access immediately, in order to allow time for US shrimp fishermen to adjust their fishing patterns.

The Mexicans have not enforced their 200-mile law (which went into effect on July 31) against US boats, pending conclusion of an agreement with us. Agreement was reached at the negotiating level on August 6, and the Mexicans are now pressing hard for early signature. They advised us orally on September 10 that they wanted an answer from Secretary Kissinger - presumably a firm early date for signature - before his departure for Africa. Thus, continued delay in signing this agreement could lead to seizures of US fishing vessels in traditional fishing areas now within the Mexican 200-mile limit. Some US fishing vessels are in the area now. In early October the Gulf shrimp fleet will move south into Mexican-claimed waters and seizures will become an increasing possibility. US tuna and sports fishing boats are in those waters constantly. Any seizure would bring into force mandatory US legislative sanctions which would require termination of a small military training program and would require institution of an embargo against the import of at least some Mexican fisheries products. Institution of sanctions could be expected to have serious implications for the broad range of our relations with Mexico.

The alternatives to signing the agreement now would be to further delay signature, concurrently seeking Mexican agreement to avoid seizures. Senator Tower has requested (Tab B) that the US delay signature, preferably by reopening negotiations with Mexico. However, he recognizes the urgency of the problem and also suggested that if a decision to sign is made, a strong statement emphasizing the positive aspects of the agreement be issued. Secretary Kissinger does not believe Mexico will or can agree to substantial revisions in the provisions for shrimping and points out that reopening the talks could jeopardize the other satisfactory terms of the agreement. The delay involved in further negotiations would also increase the possibilities of a seizure or other confrontation with Mexico. He therefore recommends we proceed now to signature of the agreement.

John Marsh opposes signature of the agreement before November, based largely on the Tower letter. Jim Cannon recommends in favor of signature now, believing the problems posed by a seizure outweigh

the loss of Gulf shrimping. Bill Seidman reluctantly recommends signature. From the foreign policy perspective, I also recommend signature of the agreement.

Should you decide to delay signature, I believe we would need to inform President Echeverria promptly of the reasons for delay and seek Mexican agreement not to enforce their law against US vessels in the interim. There is no assurance Echeverria would agree and, assuming he did, the price of such agreement is likely to be high.

RECOMMENDATION:

That you approve prompt signature of the fisheries agreement with Mexico.

APPROVE _____ DISAPPROVE _____

Alternatively, that we inform President Echeverria that further delay is necessary and seek Mexican agreement to avoid seizures.

APPROVE _____ DISAPPROVE _____