Strategic Guam: Past, Present and Future

by

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United States Army War College Class of 2013

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Abstract

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Guam serves as the lynchpin in the United States' strategy to assert influence in the Pacific. Indeed, the island's regional geographic importance continues to grow as Washington increases its emphasis and military might in light of perceived China aspirations and other regional concerns, such as North Korea. However, Washington's Asia Pacific policy rests on the assumption that the United States will always have Guam as a staging base. This assumption may be flawed. The United States' Asia Pacific regional policy has the potential of being derailed by the island's nascent desire to pursue its right of self-determination. Guam's pursuit for independence from Washington's rule can be traced to several key issues. Given the island's importance to the U.S.'s strategy in Asia, an examination of the key issues of dissension to keep Guam as a strategic U.S. sovereign is warranted. This paper addresses these issues and the implications of Guam's pursuit of self-determination within the U.S. national strategy for the region. It foreshadows the consequences of independence on U.S. strategy. It also offers recommendations to Guam's pursuit for self-determination so that the island remains a beacon of U.S. strategic strength in Asia.

Strategic Guam: Past, Present and Future

If we do not rise to the challenge of our unique capacity to shape our lives, to seek the kinds of growth that we find individually fulfilling, then we can have no security: we will live in a world of sham, in which our selves are determined by the will of others, in which we will be constantly buffeted and increasingly isolated by the changes round us.¹

-Nena O'Neil

For the past 113 years, Guam's strategic regional location has allowed the United States to achieve its policy objectives in the Asia-Pacific region. As the westernmost sovereign soil of the United States, it has contributed greatly to the projection of U.S. power and national interests. Meanwhile, during the past century of colonization, the indigenous population of Guam, known as the Chamorro² or Chamoru,³ has progressed socially and politically to the point of pursuing greater self-determination. This initiative could potentially collide with Washington's recent increased focus on the Asia-Pacific region, which some believe is a response to mounting tensions generated by China's perceived aspirations and by ongoing concerns regarding North Korea.

Due to its geographical significance, Guam serves as the linchpin for U.S. national policy in the Asia-Pacific region and the anchor of military power projection. But its residents' interest in self-determination means that the U.S.-Guam relationship may not continue into the foreseeable future in its current form. Washington must thus consider the ramifications of Guam's potential pursuit of a change in political status. More specifically, the U.S. must examine the implications of each self-determination option for Guam's future as the forward power projection of U.S. presence, interest, and strategy in Asia's changing geopolitical environment.

This paper begins by addressing Guam's past and present strategic military significance to U.S. policy and strategy in the Asia-Pacific region, along with its indigenous population's growing desire to pursue self-determination. Second, it discusses the extent to which Guam's status as a bulwark of U.S. presence in the Pacific might be derailed by this pursuit of self-determination. Third, it examines the various options for self-determination. Finally, it identifies opportunities to convince Guam to remain a part of the American family and a beacon of U.S. strategic strength in the Asia-Pacific region.

Guam's Strategic Significance

Guam's historical significance is a result of its unique location amidst the vast Pacific Ocean. After the Spanish-American War, Guam was annexed to the U.S. in 1898 and became a stopover location for ships traveling from the coastal U.S. to the Philippine islands. Since then it has long served as a significant strategic location for U.S. military forces, most notably in World War II, the Cold War, the Korean conflict, and the Vietnam War.

At the outbreak of World War II in the Pacific, American abandonment of Guam was an inglorious footnote in the histories of the U.S. Navy and the U.S. Marine Corps. ⁴ The island fell under Japanese control from 1941 to 1944; its recapture by U.S. forces was strategically important to winning the war in the Pacific. ⁵ Guam has since remained under U.S. control and celebrates 21 July as Guam Liberation Day, commemorating the end of the Imperial Japanese occupation. ⁶ Guam continues to serve as the westernmost U.S. sovereign possession and is host to a considerable contingent of U.S. military forces.

In fall 2011, the Obama Administration announced that it would "pivot" its attention to the Pacific, or "rebalance" its resources toward the Asia-Pacific region. The move was intended to address U.S. national interests in this growing region, whose dynamic geopolitical environment has featured sharp economic growth and significant security instability. The United States' current incremental approach, as stressed by Deputy Secretary of Defense Ashton Carter, advocates for an Asia-Pacific region characterized by: 1) free and open access to commerce; 2) a just and international order that upholds the rule of law; 3) an area of open access to all domains; and 4) an approach of peaceful resolution in disputes. Therefore, the U.S. calculus in engaging such a diverse region must take into consideration emerging trends with regard to each of these aspects.

Economically, the Asia Pacific region has become the "engine room" of the world's export and import enterprise accounting for half of the global gross domestic product which could re-energize slumping economies in Europe and the United States. ¹⁰ Moreover, the United States has long been a Pacific power whose interests are inextricably linked with Asia's economy, security, and political order. ¹¹ Combined, these two observations summarize Washington's strategic approach to engaging the recognized economic and security importance of this region.

The Asia-Pacific is comprised of 49 global economies.¹² The three largest world economies are contained in this region, namely the United States, China, and Japan.¹³ U.S. trade of goods and services with China totaled \$539 billion in 2011—\$129 billion of exports and \$411 billion of imports.¹⁴ U.S. goods and services traded with Japan totaled \$267 billion in 2011.¹⁵ Other important trading partners in the region also contributed

significantly to the U.S. economy. U.S. trade with member nations of the Association of South East Asian Nations (ASEAN) — comprised of the Philippines, Malaysia, Indonesia, Singapore, Thailand, Burma, Brunei, Cambodia, Laos, and Vietnam — totaled \$178 billion in 2010. U.S. exports to these countries the same year totaled \$70.4 billion, up 31 percent from 2009. U.S. goods imported from ASEAN nations were valued at \$107.8 billion in 2010, up 17 percent from 2009. ¹⁶

Two additional significant U.S. trade partners in the region are Korea and Australia. In 2011, U.S. goods and services traded with Korea totaled \$125 billion (\$60 billion in exports, \$65 billion in imports), ¹⁷ while U.S. goods and services traded with Australia totaled \$60 billion (\$44 billion in exports, \$16 billion in imports). ¹⁸ Overall, the region accounts for 56 percent of total U.S. trade. ¹⁹

Aside from its economic importance, the "rebalance" of Washington's attention can also be noted through U.S. military actions in response to the growing instability in the Asia-Pacific region. Tensions surrounding China's rise and its assertions of control over disputed territories, coupled with North Korea's insensitivities to regional concerns about its irresponsible ballistic nuclear program, have been among the main factors attracting U.S. attention. The U.S. has deemed it necessary to "rebalance" its focus and re-engage with its regional partners to assure them that the U.S. is still an ally and has not turned away from the Asia-Pacific region. ²⁰ This regional commitment is underscored through the five mutual defense agreements that the U.S. maintains with six Asia-Pacific countries: Australia-New Zealand, Thailand, South Korea, the Philippines, and Japan. ²¹ Sustaining these defense agreements, conducting bilateral training and repositioning forces are approaches that Washington deems appropriate

without sending the wrong message to China or North Korea. Other informal relationships exist with allies such as Singapore, India, Taiwan, and Indonesia.²² For the U.S. military, this diverse region falls under the U.S. Pacific Command (USPACOM), which is responsible for executing operational aspects of the "rebalance."

Following the Obama Administration's "pivot" announcement in 2011, USPACOM subsequently conducted 146 military exercises aimed at building and strengthening relationships and honing readiness in the region.²³ All these engagements were specifically targeted to meet the strategic intent of the rebalance. One such operational design can be seen in the 2006 U.S-Japan Realignment Roadmap.²⁴

Although this Realignment plan predates the announcement of the rebalancing, it supports the same strategic intent. The 2006 Realignment Roadmap was aimed at reaffirming alliances and positioning forces to respond decisively to emerging concerns both external and internal to Japan. The external concerns stem from Japan's proximity to North Korea and its ballistic missile program, while the internal concerns stem from noise pollution and U.S. military personnel misconduct against native Okinawans. This Roadmap outlines the realignment of Marine forces from Okinawa to Guam as a part of its overall strategic objective, although this realignment has not yet occurred.

While the Roadmap's initial intent was to appease growing concerns from Japan, the proposed relocation of forces to Guam incited an unfavorable reaction from the indigenous population on Guam. In 2008, during a visit with the military and community leadership of Guam, then-Secretary of Defense Robert Gates communicated that this island would be receiving 8,000 more Marines transferred from Okinawa. Gates reassured the local leadership that the Pentagon would be "sensitive to the needs of the

people of Guam."²⁶ He stated, "All in all, it will be one of the largest movements of military assets in decades and continue the historic mission of the United States military presence on Guam: to serve as the nation's first line of defense and to maintain a robust military presence in a critical part of the world."²⁷

Gates's statement is in line with the 2010 Quadrennial Defense Review (QDR), which specifically identifies Guam's continued strategic importance as a "hub of security activities in the Asia Pacific Region." The QDR reconfirmed the intended relocation of U.S. forces from Japan to Guam and the continued transformation of Guam into a regional security hub. Although Guam is not a signatory to the Roadmap, the specific sections of the agreement that impacted Guam have had an unforeseen consequence. Specifically, the agreement has heightened the indigenous islanders' aspirations for self-determination so that they can have a greater voice in such decisions.

Notably, Guam is positioned to be an important recipient of U.S. economic investment, as the Realignment Roadmap allocates \$10.7 billion for facilities and infrastructure development to relocate U.S. forces to Guam.³⁰ U.S. military objectives related to the Asia-Pacific rebalancing have involved, up to this point, predominantly the reshaping of military resources. The planned deployment of military resources in support of national security interests in the Asia-Pacific region is as follows:³¹

- Singapore: plans to station four Littoral Combat Ships
- Darwin, Australia: proposed 2,500 troops drawn globally
- Perth, Australia: U.S. and Australia discussing a plan to allow the U.S. Navy greater access to the Australian Naval Base
- Philippines: 500 rotational troops; expanded cooperation and rotational arrangements under discussion

South Korea: 28,500 troops assigned

• Japan: 40,000 troops assigned

Afloat: 16,000 troops drawn from Japan

• Guam: 4,500 troops drawn from Japan as part of the Realignment Roadmap of 2006. This is a significant reduction from previous announcements.

In the U.S. rebalancing toward the Asia-Pacific region, Guam plays a small but integral part. However, Washington's reliance on Guam as a forward presence of U.S. interest and security may be affected by the indigenous population's aggressive pursuit of self-determination. Although this development is not yet a threat to U.S. regional strategy, an outcome contrary to U.S. interests could indeed have an impact on the current calculus for the region.

The announcements that the U.S. intends to send more military forces to Guam and that it may seek to encumber more land to support Marine movements have contributed to this indigenous movement.³² The U.S. government already directly owns one-third of the island's total land mass,³³ and its assertion that it would need more land to support the relocation effort has infuriated islanders.³⁴ Should the desire for a greater voice in the island's future result in a governing option other than the status quo or U.S. statehood, Washington's regional strategy could be negatively affected. Largely ignored by Washington, current Guam concerns regarding cultural identity, economic freedom, immigration control, and military intrusion are fueling the push for self-determination. Therefore, the acceptability of the political options offered to Guam's citizens will be measured against these considerations.

Self-Determination

Guam's nascent pursuit of self-determination is in accordance with United Nations General Assembly Resolution 1514(XV). 35 Under this resolution a selfdetermination plebiscite can result in free association, independence, or statehood.³⁶ In a 1976 poll, 51 percent of Guam's indigenous population supported the status quo; in 1982, similar polling found 73 percent in favor of commonwealth leading to statehood. with independence and free association garnering only 12 percent support each.³⁷ Although there is no recent polling data to support a movement toward favoring any particular status for Guam, there has been a surge in the movement for greater autonomy, as reflected in the U.S. delay of its proposed military buildup on Guam. A recent Wall Street Journal article reported that Guamanian activists have banded together to oppose aspects of the plan, including the use of land that indigenous Chamorro people consider sacred.³⁸ These objections could derail the whole buildup initiative if not successfully resolved. The United States must carefully consider the geopolitical climate on Guam, so as to identify and address the critical issues that are upsetting the local conscience of a normally patriotic and militarily supportive territory. Thus, advantages and disadvantages of each self-determination option warrant thorough review.

One of the three self-governance options recognized by the United Nations and available to Guam is free association.³⁹ This governing status has all the critical elements of decolonization and self-government. A freely associated state is self-governing, but delegates some autonomy to an associated state (such as the United States) to provide such services as defense. In contrast, Guam's present relationship with the U.S. is as an unincorporated territory with no self-governing authority.⁴⁰ In free

association status, Guam and the U.S. would have a voluntary relationship through which the two entities would negotiate the parameters of their mutual arrangements. Either party can withdraw from the free association at any time upon giving prior notification.⁴¹

The advantages for Guam under a free association status with the U.S. have unique benefits that could usher in new opportunities for economic development. A self-governing Guam, under free association, could explore economic relationships with organizations, such as ASEAN, the Asia-Pacific Economic Cooperation (APEC), and the Trans-Pacific Partnership (TPP) to take full advantage of its regional status. Another economic advantage could be realized through the full utilization of Guam's 200-mile economic exclusion zone (EEZ). Fishing and natural energy resources could contribute to Guam's economic growth. Under free association status, Guam could harness its economic potential while retaining U.S. military protection.

Although it would no longer be a U.S. territory, Guam would presumably remain an integral part of U.S. policy, strategy, and presence in the region. As part of its free association with the U.S., the defense posture of Guam would be administered by Washington, thereby preserving U.S. interests and security in this emerging region. However, under free association, the use of the island by U.S. forces and intergovernmental agencies would need to be negotiated to the mutual benefit of each entity.

The disadvantage of this status to Washington is the potential loss of a vital strategic territory that has served as the U.S.'s westernmost forward staging base in the Asia-Pacific region. U.S. sovereign land for military forces forwardly deployed in the

Pacific would then be limited to Hawaii or American Samoa – both located roughly 3800 miles east of Guam. Reaction to incidents in the South China Sea would be greatly hampered due to the tyranny of distance that U.S. forces must negotiate to reach the operational area. Other locations such as the Commonwealth of the Northern Marianas (CNMI) can be considered for staging due to its strategic location 50 miles north of Guam. This area would enable the U.S. to maintain its strategic and operational reach in response to potential crisis in the region. The one important question to be answered in this scenario is how much U.S. treasure is worth the loss of Guam.

For Guam, there is some question about its ability to transition to self-government. Additionally, uncertainties regarding the island's economic viability and cultural resiliency would be prominent during the fragile initial stages of self-rule. The overall risk that this option presents to U.S. interests depends on the nature of the continued U.S.-Guam relationship, as well as the new relationships that Guam may form with China and regional nonaligned nations. Current conditions suggest that Guam would maintain a close relationship with the U.S. through negotiated defense agreements if it became a freely associated nation, but there is no guarantee of this continued relationship over time.

If granted statehood, ⁴³ Guam would be given all rights and liberties that the current fifty U.S. states enjoy. A three-tiered government system would be established, including local, state, and federal levels. All laws promulgated by Guam would be consistent with the U.S. Constitution and the newly enacted Guam state constitution. Guam's economic activity would be subjected to federal regulations. Current statutes encompassed in the Organic Act of 1950 would be abolished. ⁴⁴ As a state, Guam would

have congressional representation. U.S. citizenship would be granted to all Guam citizens, subject to state and federal laws. Economically, Guam would have to generate its own sources of state income, and its citizens would pay state as well as federal taxes. From a U.S. perspective, statehood presents the least amount of risk to U.S. interest and strategy.

Viewed from the continental United States, the acceptance of Guam as a state may be "a bridge too far." The island's negligible population and lack of resources would be a contentious argument for many other states. Guam's equal footing on representation in the Senate may be contested by large states, such as California and Texas. However, the shortfall of Guam in terms of population size and lack of resources is equally balanced by its strategic location and the capacity it offers to the nation's security and economic prosperity in this evolving region of the world. This opportunity is not readily gleaned from a scenario of an independent Guam.

As an independent nation, Guam would have full, unchallenged authority and sovereignty to navigate its future on the world stage as a voting member of the United Nations. Its economic future might be challenging at first, but over time and with some aggressive negotiation and capacity building, Guam could become a significant and strategic nation, offering its location and national status as a desired investment opportunity for many Asian countries. The U.S. would have to relinquish its control over roughly one-third of the total land mass of the island. The relinquished land would then be used to support Guam's national interests. Guam's opportunity to open its immigration and tourism markets is now unrestricted by U.S. regulations. The nation of Guam would need to pass its own laws regulating immigration and tourism, based on its

economic climate and opportunities. However, if it wished to remain a close U.S. ally, it would want to remain mindful of U.S. military sensitivities and security concerns.

Under independence, Guam would likely remain tethered to the U.S. through a mutual defense treaty or some other agreement that would allow the U.S. to continue its presence on the island. An independent Guam would undoubtedly change the military posture on the island, and the U.S. military would have to negotiate a lease agreement for land that it wished to continue to use. If the U.S. decided to terminate its relationship and the use of Guam for U.S. interests and military projection, then all current land use would be reverted to the government of Guam for its disposition. As listed in the case of an independent Guam, such a loss would have a direct impact on U.S. strategy and security in the Pacific.

Other disadvantages of this option are the uncertainty of Guam's economic and revenue generating capacity. Guam could be in a state of financial distress if it did not plan effectively for economic sustainability in its initial and fragile phase of assuming independence. The risk of independence, at the front end, is financial instability and low cultural resiliency; however, after the initial adjustment, Guam could experience strong economic growth by capitalizing on its strategic regional location in the sea lanes of commerce. This in turn would likely help solidify cultural resiliency and solidarity.

A scenario the U.S. might be concerned with would be the remote but plausible chance an independent Guam negotiates with China and even grants Beijing access to the island for military purposes as a means for the island to generate revenue and business opportunities. Thus, the independence option holds the highest degree of potential risk for U.S. interests. An independent Guam would have the option to

negotiate economic and military agreements with nonaligned countries in the region for access and economic gain. Although a China-Guam economic alliance is conceivable, it is highly unlikely that a military aspect would be entertained due to the historic relationship that the U.S. and Guam have shared. Economic survival would be the likely motivating factor should Guam ever pursue closer relations with Beijing.

Along with free association, statehood and independence, a fourth option for consideration would be to maintain the status quo—that is, the existing U.S.-Guam relationship under which Guam is an unincorporated territory of the U.S.. Guam has prospered tremendously through the infusion of federal assistance from Washington.

Guam's economy rests upon three service sectors: national defense, tourism, and local government. The total 2009 Gross Domestic Product (GDP) for Guam was \$4.49 billion. In comparison to surrounding islands, national defense generates a higher income per person for Guam than for either the Commonwealth of the Northern Marianas Islands (CNMI) or American Samoa. Federal spending alone accounted for 41.3 percent of the GDP. The GDP determination would most definitely disrupt this financial arrangement under free association, statehood and independence.

All three self-determination options would likely have a substantial impact on Guam's economy relative to the status quo. Here are some relevant economic statistics on Guam as a U.S. territory:⁴⁸

- Federal contributions (mostly through defense): \$2.5 billion
- Labor force: 82,950 (64% services, 26% agriculture, 10% industry)
- Unemployment rate: 11.4%
- Population below the poverty line: 23%

Compared to other U.S. territories without a military presence, Guam is economically in an advantageous position. American Samoa receives only \$29 million ⁴⁹ from federal contributions, the CNMI \$21 million, ⁵⁰ and the U.S. Virgin Islands \$150 million. ⁵¹ None of these figures come even remotely close to the \$1.85 billion of defense spending ⁵² (and other federal expenditures) that Guam receives from the U.S. government. Moreover, Guam's economy depends largely on U.S. military spending and tourism. Over the past 30 years the tourist industry has grown to become the largest income source following national defense. Guam's economy continues to experience expansion in both its tourism and military sectors.

The advantages of maintaining the status quo are self-evident from an economic standpoint. However, the economic benefits could be outweighed by the indigenous population's desire to have a decisive voice regarding the island's future. The other three options would move Guam into a stage of economic uncertainty, but the island's future would be in the people's hands.

In the past, demonstrations for indigenous rights and anti-American protests in Guam have been largely by small groups of individuals. The recent establishment of the Guahan Coalition for Peace and Justice⁵³ and We Are Guahan⁵⁴ reflects a trend toward broad advocacy for self-determination. One of the Guahan Coalition's major tenets is the preservation of the Chamorro culture, language, and history. Additionally, leadership in the advocacy for self-determination is now coming more from professionals and educated indigenous people rather than rogue, disgruntled, uneducated private citizens.⁵⁵

The rise of the indigenous advocacy is but the tipping point of things to come. Patricia L. G. Taimanglo, a native daughter of Guam, has put the issue of military expansion on Guam and its consequences for indigenous advocacy in perspective. She states, "The greatest benefit of the military buildup is that [the Chamorro] are standing up and expressing their thoughts among themselves but also at national and international forums to inform others of our current plight. It has promoted increased awareness, empowerment—both pathways to healing as a people." 56

The current indigenous movements on Guam have not reached the level of national intervention or have even attracted Washington's attention. However, the clear sign posts and indicators posit a growing development of indigenous dissatisfaction with U.S. policy regarding Guam. The opportunity for U.S. consideration is afoot and to further delay any action to quell, or to even understand, the growing frustration of the people of Guam may indeed be too costly. The following recommendations are offered for Washington's consideration as the question of Guam's continued importance to U.S. strategic policy is debated in close circles of legislation and open forums of public scrutiny.

Recommendations

To maintain its presence and interests in the Asia-Pacific region, the U.S. should seek to keep Guam as its possession, as either a state or a territory. One might argue that Washington has sovereign possession of the CNMI, so Guam can, therefore, be disestablished as a U.S. entity. However, the defining difference between the two island territories is that Guam already supports a robust military presence and complimentary infrastructure that enables U.S. initiatives and interest in the region. How much treasure is the U.S. willing to sacrifice to execute a major military hop from Guam

to the CNMI? Washington's address of the growing indigenous tension on Guam due to the nation's rebalancing efforts could be well served cost wise, and such actions may divert what otherwise could be a derailing blow to U.S. national interests and security for this region. Without the following actions, the issue of an indigenous movement will likely remain a recurring dilemma. Therefore, it is recommended that Washington:

- Conduct a thorough cultural scan of the underlying issues that are inciting the surge of indigenous agitation and address these issues to their full resolution.
 This is the core of the indigenous movement and, therefore, the core of the issue.
- Dissuade Guam from pursuing any status that would degrade or sever the relationship that it currently shares with the U.S. (especially independence).
- Assist Guam in its pursuit of self-determination to show the local population that
 the U.S. has an obligation, in accordance with United Nations Resolution 1514
 (XV), to this cause and will do what needs to be done in order to keep Guam as a
 valued member of the American family.
- If Guam decides to maintain the status quo, assist Guam in attaining a greater voice in the navigation of its future. This recommendation would involve some degree of congressional mandate to allow Guam to be elevated from its unincorporated status and to give the island a voting member in the House of Representative and the Senate. This recommendation would infer a dramatic change in law and a new outlook towards possessions and territories (to include D.C.) still under U.S. control. It would also allow the citizens of Guam to participate in electing the U.S. president.

Conclusion

Guam has served as the westernmost presence of U.S. security and a base from which to project U.S. interest in the Asia-Pacific region. In the midst of rising regional hegemony and the rogue actions of North Korea, Washington has rebalanced its attention to this region, and Guam has been impacted by that decision. Although Guam has served as the lynchpin of U.S. presence in this region, this relationship has been called to question by the island's indigenous movement to pursue self-determination. The pursuit of self-determination is the right of every non-self governing entity as a normal political evolution. However, Guam's interest in self-determination has been heightened by decisions that Washington has imposed on Guam through its rebalancing effort. If the U.S. considers Guam's strategic location as a valuable national security asset, it must persuade Guam, through its pursuit of self-determination, to remain a valued member of the American family and a beacon of U.S. strategic strength in the Asia-Pacific region.

Endnotes

¹ Nena O'Neil, "Famous Quotes and Authors," http://www.famousquotesandauthors.com/authors/nena_o_neil_quotes.html, (accessed February 14, 2013).

² "Chamorro are indigenous people of Guam and the Marianas Islands, from the Spanish Chamorro, "shorn, shaven, bald." Supposedly because the men shaved their heads, but the name also has been connected to native Chamoru, said to mean "noble," so perhaps Chamorro is a Spanish folk etymology." http://dictionary.reference.com/browse/Chamorro (accessed October 20, 2012).

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Exclusive Economic Zone (EEZ)

The exclusive economic zone (EEZ) of the U.S. extends 200 nautical miles from the territorial sea baseline and is adjacent to the 12 nm territorial sea of the U.S., overlapping the 12-24nm contiguous zone. Within the EEZ, the U.S. has:

- sovereign rights for the purpose of exploring, exploiting, conserving and managing
 natural resources, whether living and nonliving, of the seabed and subsoil and the
 superjacent waters and with regard to other activities for the economic exploitation and
 exploration of the zone, such as the production of energy from the water, currents and
 winds
- jurisdiction as provided for in international and domestic laws with regard to the establishment and use of artificial islands, installations, and structures, marine scientific research, and the protection and preservation of the marine environment
- other rights and duties provided for under international and domestic laws
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