MEMORANDUM OF UNDERSTANDING

AMONG THE

GOVERNMENTS OF CERTAIN PACIFIC ISLAND STATES

AND THE

GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING

FISHING ACCESS TERMS FOR 2024

MEMORANDUM OF UNDERSTANDING AMONG THE GOVERNMENTS OF CERTAIN PACIFIC ISLAND STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING FISHING ACCESS TERMS FOR 2024

The United States Government and the Pacific Island Parties to the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America, as amended ("Treaty"), hereinafter referred to as the "Participants,"

Recognizing that the Participants finalized amendments to the Treaty and its Annexes at Nadi, Fiji on December 3, 2016, which have not yet entered into force, ("2016 Amendments");

Noting that the provisions in the 2016 Amendments to Annex II of the Treaty related to "Upfront Days" of fishing access for U.S. vessels are specified for six licensing periods from 2017 through 2022 and that Annex II, paragraph 3 provides that the licensing and notification procedures, including on "Additional Days," continue to apply beyond the six licensing periods;

Acknowledging that the Participants have been voluntarily applying the 2016 Amendments pursuant to a 2016 Memorandum of Understanding between the Governments of Certain Pacific Island States and the Government of the United States of America;

Desiring to specify the terms of fishing access for Upfront Days for 2024 and clarify the Participants' understanding of certain other terms in Annex II of the 2016 Amendments,

Have reached the following understandings:

Section 1

The Participants wish to continue voluntarily applying the terms of the 2016 Amendments until such time the amendments enter to force, and have decided upon the following terms for fishing access for 2024:

1. The costs to be paid by U.S. industry specified in paragraph 4(b) of Annex II is understood to apply to "observer services."

2. The number of Upfront Days to be offered to U.S. vessels in 2024 in the Exclusive Economic Zones listed in the paragraphs of Annex II referenced below are as follows:
   a. Paragraph 7(a): 2,720 days
   b. Paragraph 7(b): 500 days
   c. Paragraph 7(c): 350 days
   d. Paragraph 7(d): 600 days

3. The Participants intend for the prices paid by U.S. vessels for the days specified in paragraph 2(a) through (c) of this MOU to be the subject of negotiations.

4. The Participants have decided that the price to be paid by U.S. vessels for any fishing days referred to in paragraph 2(d) of this MOU that include catching, taking, or harvesting fish is $6,000 with no upfront payment.

5. With respect to the notification referenced in paragraph 14 of Annex II, which is expected to be provided by the U.S. Government to the Pacific Islands Forum Fisheries Agency and the Parties to the Nauru Agreement Office and the Cook Islands, as appropriate, the Participants have decided to apply a notification period of 5 working days.

6. Nothing in this MOU is intended to prejudice negotiations between the Participants for any future years under the Treaty.

Section 2

This MOU is expected to come into effect upon the last signature of the Participants.

Done in the English language.

For the Government of the United States of America

Date:

For the Government of Australia

Date:

For the Government of the Cook Islands

Date:

For the Government of the Federated States of Micronesia

Date:

For the Government of the Republic of Fiji

Date:

For the Government of the Republic of Kiribati

Date:

For the Government of the Republic of the Marshall Islands

Date:

For the Government of the Republic of Nauru

Date:

For the Government of New Zealand

Date:

For the Government of Niue

Date:

For the Government of the Republic of Palau

Date:

For the Government of the Independent State of Papua New Guinea

Date:

For the Government of Samoa

Date:

For the Government of the Solomon Islands

Date:

For the Government of the Kingdom of Tonga

Date:

For the Government of Tuvalu

Date:

For the Government of the Republic of Vanuatu

Date: