

September 27, 1963

Mr. Richard F. Taitano  
Director, Office of Territories  
U. S. Department of Interior  
Washington, D. C. 20240

Dear Mr. Taitano:

We have held up on the submission of a specific proposal with regard to the conversion of the Council of Micronesia into a legislative body pending receipt of the recommendations of the Solomon Mission. Discussions with Professor Mangone when here with the Survey Mission gave little insight into the specifics of his thinking. I have assumed that on a matter of such basic policy that we should wait for the recommendations of the Survey. We are asked to delay other immediate administrative actions of lesser fundamental significance for the report. On the basis of this assumption, we have postponed the fall session of the Council until the second week in November.

As you know, the Council of Micronesia recommended a bicameral body and I have serious doubts that a bicameral body would be advisable. Accordingly, I have proposed to take into consideration the recommendations of the Council of Micronesia in most aspects except that of its composition. What we have in mind is the creation of a twenty-one member unicameral body apportioned on the following basis:

Marianas .....	3
Palau .....	3
Yap .....	2
Marshalls .....	4
Ponape .....	4
Truk .....	5

This apportionment conforms, roughly, to the population distribution in the Trust Territory and is similar to apportionment suggested in the proposed Executive Order drafted by your office last year. The body cannot be made smaller without distortion in representation and, I feel, a twenty-one member body would be an effective working group.

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...in the debates in the Committee and the Council. These are well known and do not need discussion here.

It should be noted also that those Council members who argued for a bicameral body did so mainly for political consideration to placate the "nobility" at home but all agreed to support whatever form was established. I also do not feel that the recommendations of the Council need be accepted without exception. Creation of a legislature is a collaborative and joint effort requiring an expression of views from many quarters - one of which was the Council of Micronesia. The body met not as a chartered convention with delegated authority to draft a legislative document but rather in an advisory capacity to present recommendations regarding a proposed legislature.

A rough outline of the points which I feel should be part of a specific proposal is attached for your review.

You will also recall that in July 1962, we forwarded to you comments prepared by the Attorney General on the creation of the Trust Territory legislature. The points brought out at that time, I feel, are still pertinent.

There is also the item of Article 43 of the Code to consider. As you know, this requires that when I determine that the people are ready for a territorial legislature, I will "draft proposed legislation for the establishment of a Territorial Legislature and transmit to the Secretary of the Interior for his approval and submission to the Congress of the United States." Perhaps we should consider repeal of this article by executive order.

In any event I feel that it is imperative to initiate consultation with the House and Senate Committees on Interior and Insular Affairs before taking action on any specific order or charter extending general legislative authority for the new Territorial Legislature. You may recall that during the U. N. Trusteeship Council Meetings this past June when I was queried as to what further steps were needed for the creation of a territorial legislative organ, I indicated that the next steps would involve at least informal discussion and clearance with members of the appropriate Congressional Committees.

I am looking forward to the recommendations of the President's Mission dealing with political development and would appreciate any information which may be helpful in giving us additional guidelines at this time.

Sincerely,

M. W. Goding

Attachment